NEW EDITION

OF THE

# BABYLONIAN TALMUD

Original Text, Edited, Corrected, Formulated, and Translated into English

BY

MICHAEL L. RODKINSON

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TRACTS BETZAH, SUCCAH, AND MOED KATAN

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## EXPLANATORY REMARKS.

In our translation we adopted these principles:

1. *Tenan* of the original—We have learned in a Mishna; *Tania*—We have learned in a Boraitha; *Itemar*—It was taught.

2. Questions are indicated by the interrogation point, and are immediately followed by the answers, without being so marked.

3. When in the original there occur two statements separated by the phrase, *Lishna achrena* or *Waïbayith Aema* or *Ikha d'amri* (literally, "otherwise interpreted"), we translate only the second.

4. As the pages of the original are indicated in our new Hebrew edition, it is not deemed necessary to mark them in the English edition, this being only a translation from the latter.

5. Words or passages enclosed in round parentheses ( ) denote the explanation rendered by Rashi to the foregoing sentence or word. Square parentheses [ ] contain commentaries by authorities of the last period of construction of the Gemara.

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TO

LOUIS STERN, Esq.

IN RECOGNITION OF HIS MANY PHILANTHROPIC DEEDS AND VALUABLE SERVICES IN THE CAUSE OF JUDAISM AND ITS LITERATURE

THIS BOOK IS MOST RESPECTFULLY DEDICATED BY THE EDITOR

MICHAEL L. RODKINSON

New York, Friday ל"ג בעמר, April 28th, 1899.

# TO THE READER.

THIS volume contains three tracts, in order to maintain some uniformity in the size of the volumes,* whereas in former issues one subject required three volumes and another one volume, while in two instances each of two volumes treated of two different subjects; viz., three volumes being devoted to subject Sabbath (including Erubin), one volume to Passover, one to the Half-shekels (Shekalim—which were to be given in the beginning of each year) and New Year, one to the Day of Atonement (including also the Holocausts for the Altar). Of the three tracts now presented, Tract Succah treats of the Booth, Palm Branches, Citrons, etc., and specially appertains to the Feast of Tabernacles, the other two treating of the laws and regulations as to festivals in general; viz., Yom Tob (literally "Good Days") of all festivals, including also the New Year and Moed Katan (Minor Festivals) of the middle days between the first and seventh days of Passover and between the first and eighth days of Tabernacles.

As to the treatment of the semi-festivals, viz., Hanukka and Purim—the former is included in Tract Sabbath, Volume I., and the latter, which has a tract to itself, named "Megilah," or "Book of Esther," is to appear in the next and last volume of this section, and contains Taanith (the Regulation of Fast Days), Megilah (which is to be read while fasting), and, finally, Ebel Rabbathi (Great Mourning), which is also called "Sema'hoth" (Joys) for reasons which will be explained in our introduction to it.

We do not at present say more about the tracts of this section, as it is our intention to make further comment on them in our next volume.

NEW YORK, *April*, 1899.

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* Each tract, however, is paged separately, for the reason stated in Introduction to Vol. VI., p. xvi.

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# TRACT BETZAH (YOM TOB).

## CHAPTER I.

REGULATIONS CONCERNING EATABLES AND BEVERAGES: PREPARATIONS FROM THE FIRST DAY OF FESTIVALS TO THE SECOND, FROM THE FESTIVALS TO THE SABBATH, AND VICE VERSA.

MISHNA: An egg laid on a festival may be eaten on the same day. So say the school of Shammai; the school of Hillel, however, say it must not. The school of Shammai say that leaven the size of an olive and leavened bread the size of a date (are to be removed before Passover), but the school of Hillel say that both must be removed when of the size of an olive only. If wild game or fowl is to be slaughtered on a festival, the school of Shammai say one should dig up (the earth) with a spade and cover the blood, but the school of Hillel forbid the killing unless loose earth had been prepared for that purpose the day before. Both schools, however, agree that if the killing had been done, one may loosen some earth and cover the blood with it, for ashes are always ready in the hearth.

GEMARA: To what kind of hen does the Mishna refer? If to a hen designed for eating, why then does the school of Hillel prohibit the eating of the egg? Is it not a part of the eatables which were prepared (for the festival)? If to a hen kept for laying eggs only, what is the reason of the school of Shammai, who permit to eat it? Is this not Muktzah (designation *)? Should we suppose that the school of Shammai do not hold the theory of Muktzah, even then the eating of it could not be permitted, as it is a new-born thing, and even one who denies the theory of Muktzah should hold to the theory of Nolad (new-born thing). Nay, R. Na'hman has declared that one who denies the theory of Muktzah denies also the theory of Nolad.

* See footnote on p. 79 of Tract Sabbath.

If so, then the school of Shammai will be in accordance with R. Simeon (who denies the theory of Muktzah), and the school of Hillel will be in accordance with R. Jehudah (who holds it); but this would not be the case, because did not R. Na'hman state (in Tract Sabbath) that the school of Hillel are always in accordance with R. Simeon and the school of Shammai with R. Jehudah? R. Na'hman may say: Because we found an anonymous Mishna (in Tract Sabbath, p. 375) which is in accordance with R. Simeon, therefore he declares that concerning the Sabbath the school of Hillel hold with R. Simeon, and concerning the festivals we found an anonymous Mishna (Sabbath, p. 375) in accordance with R. Jehudah, therefore he declares that the school of Hillel are in accordance with R. Jehudah, who is more rigorous.

Let us see: Who makes the Mishna anonymous? Rabbi (its editor). Why does he make it anonymous in regard to Sabbath in accordance with R. Simeon, and in regard to festivals (makes it anonymous) according to R. Jehudah? This is no question. Relating to Sabbath, which is so rigorous that it has a capital punishment and there is no fear that anyone will dare to disregard its rules, therefore Rabbi made an anonymous Mishna in accordance with the more lenient R. Simeon; but relating to festivals, which have no capital punishment at all, and the rules are lenient, for fear that otherwise they may be disregarded, Rabbi made an anonymous Mishna in accordance with R. Jehudah.

Now, then, if the Mishna means a hen which is kept for laying eggs, and the reason that the school of Hillel prohibit it, is because the egg is Muktzah, why do they not differ about the hen itself? (whether it is permitted to eat it or not). Therefore said Rabba: The Mishna refers to a hen kept for eating, and to a festival which falls after Sabbath; and the teaching of the school of Hillel is not for the reason of Muktzah, but of preparation; *i.e.*, an egg which is laid to-day Rabba is certain that it was ripe the preceding day, and it is in accordance with his theory, thus: It is written [Ex. xvi. 5]: "And it shall come to pass on the sixth day, when they *prepare* what they shall have brought in"; *i.e.*, only on a week-day shall anything be prepared for the Sabbath or for festivals, but nothing should be prepared on a festival for the Sabbath, and *vice versa*.

Said Abayi to Rabba: Let it then be permitted on a festival which does not come after Sabbath, and he answered: It is as a precautionary measure for the festival which falls after Sabbath.

Said Abayi again: Let it then be permitted on a Sabbath, and he rejoined again: It is a precautionary measure for the Sabbath which falls after a festival. Said Abayi again: Do we take such precautionary measures? Have we not learned in a Boraitha: If one kills a hen on a festival and finds in it ripe eggs, he is permitted to eat them? Now, if such precautionary measures are taken, why should not the same precautionary measure be taken for the above eggs, for fear lest one eat new-laid eggs? Rabba again rejoined: Ripe eggs in the entrails of a hen are not a usual occurrence, and for an unusual occurrence no precautionary measures are taken.

R. Joseph, however, said that (the prohibition of eating an egg from a hen kept for eating) is as a precautionary measure lest one may eat fruit which has fallen from a tree on Sabbath. R. Itz'hak said that the precautionary measure is taken lest one drink the beverages which flow from a tree on Sabbath. From the following teaching we learn that R. Johanan agrees with R. Joseph's opinion, viz.: R. Johanan found R. Jehudah contradicting himself, namely: We have learned in a Mishna in Sabbath, one may not press fruit to derive beverage from it; and even if the beverage flowed of itself, it is prohibited. R. Jehudah, however, said: If the fruit was for the purpose of eating, the beverage which flows from it is permitted, and if the fruit was for beverage, the latter is not permitted. From this we see that although the beverage which flows from the fruit was not prepared on the preceding day, its use is nevertheless permitted; and in another place we find that the same R. Jehudah said, "that an egg which was laid on one festival day may be eaten on the second festival day"—on the second, but not on the first. This contradicts his first dictum, that the beverage may be used on the same day. And R. Johanan answered about this contradiction thus: Say, that it is on the contrary, that not R. Jehudah permits to drink the beverage, but the first Tana in the above Mishna. Now, when R. Johanan contradicted the teaching concerning the beverage and the egg, we must say that the prohibition of both is for one and the same reason.

Rabbina the son of R. Ula said: It is not so. R. Jehudah, who says that the egg must be eaten on the second day, and not on the first, refers to a case where the hen was kept for laying eggs only, and this is according to his theory of Muktzah.

An objection was raised from the following Boraitha: An egg which was laid on Sabbath or on a festival day must not be

handled to cover a vessel with it, or to support the foot of a bed with it. It is permitted, however, to cover it with a vessel to prevent it from breaking. If it is doubtful whether the egg was laid on that day or not, it is also disallowed to use it. Should it become mixed in even with a thousand eggs, all the eggs are prohibited to be used on that day. It is right according to Rabba's teaching, who says that when the egg is prohibited for the reason of preparation, which is biblical, therefore a doubtful egg must not be used because it is doubtful according to a biblical law, and all doubts about biblical ordinances must be decided more rigorously; but according to R. Joseph and R. Itz'hak, who say that it is prohibited only as a precautionary measure, why then is it not allowed to use the doubtful egg that is so only according to a rabbinical ordinance, and all doubts concerning rabbinical ordinances must be decided more leniently? The latter part of the Boraitha means that it was doubtful whether it was laid by a hen biblically forbidden to be eaten (*e.g.*, sick or crippled). If it is so, how will the latter part of this Boraitha, "if it were mixed in even with a thousand eggs, all are prohibited," be explained? It would be right if there were a doubt whether it was laid on a week-day or on a festival, where the prohibition is temporary (because on the morrow all may be eaten); and there is a rule when anything is temporarily prohibited, if it is mixed in with a thousand, the prohibition remains, but if the egg was doubtful to be from a biblically forbidden hen (in which case the prohibition remains in force always), then if it is mixed in with other eggs, why should they all be invalid? Let it be ignored as against the majority? (that one egg be removed, and the remaining should be used). The assumption that an egg is a thing of value, and therefore must not be ignored, would apply only to those who say that all things usually counted must not be ignored; but what can be said to those who say that only things which are *always* sure to be counted may be ignored? (This objection remains.)

R. Ashi said: The meaning of "doubtfulness" in the Boraitha is, whether it is a week or festival day, it is nevertheless prohibited to use it, although according to R. Joseph and R. Itz'hak it is only a rabbinical doubt, because the prohibition is only temporary, and in case of a temporary prohibition even a rabbinical one must wait till the prohibition is over.

We have learned in a Boraitha: Anonymous teachers in the name of R. Eliezer said that the egg in question may be eaten

together with the hen that laid it. To what case does the Boraitha refer? If the hen is kept for eating, then it is self-evident; if it is a hen kept for laying eggs, then both are not allowed to be used. Said R. Zera: The Boraitha means to say that the egg can only then be eaten when the hen which laid it was also eaten. How shall it be explained? Said Abayi: In case the hen was bought not for any definite purpose, if it was slaughtered and prepared, then it is clear that it was bought for the festivals, and the egg may also be used; but if the hen is kept alive, then it is clear that it was bought with the intention to keep it for laying eggs, and then it must not be used. R. Mari, however, said that the Boraitha meant to say nothing, but merely exaggerated (*i.e.*, the egg may be eaten in any manner), as we have learned in the following Tosephta: A new-laid egg may be eaten with the hen that laid it, and a new-born pullet with its shell. As the shell cannot be used and is only an exaggeration, so is it also meant with the egg and the hen which laid it.

It was taught: If Sabbath fell after a festival, or *vice versa*, anything born on one of these days must not be used on the other. So said Rabh. R. Johanan, however, allowed it to be used on the morrow.

Shall we assume that Rabh holds that both are of one and the same sanctitude? Did not Rabh say that the Halakha prevails according to the four old sages * who are in accordance with R. Eliezer, who said that Sabbath and the festivals are of different sanctitudes? Nay, here they do not differ concerning the sanctitudes, but as to the law of preparation mentioned above in the name of Rabba. Rabh is in accordance with this theory and R. Johanan is not.

The Tanaim of the following Tosephta differ on the same point: If an egg was laid on the Sabbath, it may be eaten on the festival, and *vice versa*. R. Jehudah in the name of R. Eliezer, however, said, that there is still a difference of opinion among the schools of Shammai and Hillel. According to the former it may, and according to the latter it may not be eaten.

The householder of R. Adda b. Ahabah had eggs which were laid on a festival preceding the Sabbath; he came to him and inquired whether it is permitted to roast them that day, to be eaten on the morrow. He answered: What is thy question?

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* See Tract Erubin, p. 82.

Because thou thinkest that when Rabh and R. Johanan differ the Halakha prevails according to the latter; yet even R. Johanan permits only to sip the egg when raw on the morrow, but he never permitted to handle it on the same day.

The householder where R. Papa lived, according to others another man, had eggs which were laid on a Sabbath preceding a festival, and he asked R. Papa if they could be eaten on the morrow, and R. Papa answered him: Leave it until to-morrow and come again, because Rabh did not use an interpreter on a festival day after meals to decide questions belonging to the next day, for fear, perhaps, that he had drunk more than a quarter of a lug of wine. When he came on the next day R. Papa said to him: If I had decided the question yesterday, when I was a little light-headed, I would have erred, and would have decided according to R. Johanan, as the rule is where Rabh and R. Johanan differ, the Halakha prevails always according to R. Johanan, and this would not be right, because Rabha said that the case in question is one of the three * where the Halakha prevails according to Rabh, both when he is lenient as well as rigorous.

R. Johanan said: Wood which falls from a tree on Sabbath must not be used on the following festival day; and if it would be asked what is the difference between the wood and the egg, it can be said that the egg can be used while raw just after it has been laid, and if left until the next day, because it must not be used on the same day; but if the wood will be used just after Sabbath is over, one might say that the use of the wood was allowed on the same day, and that it was not used because it was prohibited to make a fire on Sabbath.

R. Mathna said: If wood had fallen down from a tree directly into an oven on a festival day, one may add wood which had been prepared on the preceding day and burn it; but is not this handling a prohibited thing? To this the answer is, because the bulk of the wood may be handled, the rest is ignored. But did he not ignore the prohibited wood intentionally? and a Mishna teaches that a prohibited thing must not be ignored on purpose. This, however, is only true of a biblical prohibition, but not of a rabbinical. But according to R. Ashi, who said that a thing which is prohibited only temporarily, cannot be ignored by any means, what can be said? This is when the prohibited thing is preserved; but here, when the wood is to be destroyed by fire, it is different.

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* As it will be explained further on, p. 8.

It was taught about the two festival days in exile: Rabh said if anything was born on the first day, it may be eaten on the morrow, but R. Assi says it must not. Said R. Zera: It seems to me that R. Assi is correct in his opinion, because in our time the time of the calendar is known to us, and nevertheless we hold in exile two days of festival (consequently we must hold all the ordinances which were ordained in that time). Abayi, however, said: It seems to me that Rabh is correct in his opinion, and our keeping of two days of festival in exile is merely because a message was sent to us from the West: Take heed of the customs of your ancestors, as it can happen that the government might forbid the keeping of festivals, and the exact date might be forgotten (after the government should retract the command).

It was taught: Rabh and Samuel both said of the two festival days of New Year: Something born on the first day must not be used on the other.

Rabha said: From the day of the ordinance of Rabban Johanan ben Zakkai,* an egg which is laid on the first day of the New Year festival may be eaten on the next day. Said Abayi to him: Did not Rabh and Samuel both say that it is not allowed? Rejoined Rabha: I say to you that of Johanan b. Zakkai, and you mention Rabh and Samuel to me [says the Gemara: Do really Rabh and Samuel contradict a Mishna? Nay, it presents no difficulty: The ordinance of Johanan b. Zakkai was only for Palestine, but Rabh and Samuel speak for the exile].

R. Joseph, however, said even after the ordinance of Johanan b. Zakkai the prohibition of the egg remains in force, because the prohibition has been ordained by the vote of a majority of sages, and everything that has been ordained by a majority some time ago, must again be voted by a majority. Said Abayi to him: Did the sages in Johanan b. Zakkai's time discuss about an egg? They discussed only about the witnesses of the new moon. When it was ordained that the witnesses should not be received on the 30th day (consequently two days were kept festival), the egg was prohibited, but after that, when it was again allowed to receive the witnesses the entire 30th day, in consequence holiday was kept only one day, and the egg could not be any longer prohibited.

R. Ada and R. Shalman [both from the city of Khaluchith] said: The reason why the egg is prohibited even after the ordi-

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* For this ordinance of R. Johanan ben Zakkai see Tract Rosh Hashana, pp. 55–56.

nance of R. Johanan b. Zakkai, is because the Temple will soon be rebuilt, and then one may say the last year, have we not eaten the second day of the festival the egg that was laid on the first day? We will do the same now, and they will not know that the last year had two separate sanctitudes; and now, when the Temple is built, the two days are as one long day of one and the same sacredness.

If it is so, let the witnesses who come to testify about the new moon, also not be received? because soon will the Temple be rebuilt, and they will say: Did we not receive the last year the whole 30th day? The same will we do now? What comparison is there? Only the court (Beth Din) can receive the testimony of the witnesses, but eating an egg appertains to the common people. Rabha, however, said: That even after the ordinances of R. Johanan b. Zakkai the egg is prohibited for this reason: Would not R. Johanan b. Zakkai himself agree that if the witnesses were coming after the Min'ha prayer (in the afternoon), both the 30th day and the morrow would be kept sacred? (Therefore we who are at a great distance from Palestine, and do not know when the witnesses appeared, must keep both days holy, and as of one kind of sacredness; in consequence an egg laid cannot be eaten on what is considered as the same day.)

Rabha said again: The Halakha prevails according to Rabh in these three ordinances, both when he is lenient and rigorous (namely: 1. An egg laid on a Sabbath preceding festival day or on a festival day preceding a Sabbath may be eaten on the morrow. 2. The same is the case with the two festival days in exile. 3. But if it was laid on the first day of the two New Year's days, it must not be eaten).

Rabha said: The preparing for the burial of a dead body on the first day of the exile festival must be done by Gentiles; but on the second day Israelites may do it, even if it is New Year. With a new-born thing, however, in the two days of New Year it is different (because *these* two days are considered as of one sacredness). The sages of Nehardai, however, said the case is the same with a new-born thing also. Said Mar Zutra: The law concerning burial on holidays refers to a case when the corpse had been lying some time and there is fear of corruption; but if it had just died it may lie until after the holidays and then be interred. R. Ashi, however, said: Even if it has just died it can be buried on the same day, as the sages considered the second day of a festival a week-day in relation to a dead body, and it is

allowed even to cut myrtle for it and prepare (a nice cloak for him besides) the shrouds.

Rabbina was sitting in the presence of R. Ashi on the first day of New Year, and noticed that he was downcast. He asked him: Why is the Master downcast? R. Ashi answered: Because I have not made a combining of cookery (Erub Tabshilin; *i.e.*, the third day of the new year was a Sabbath, and it was necessary to prepare on the second day of New Year for the Sabbath by making a "combining of cookery"). Said Rabbina to him: Let Master make it to-day. Did not Rabha say that whoever forgot to make a combining on the eve of a festival, is permitted to make it on the first day? And R. Ashi rejoined: Rabha allowed it only on the exile festival day, but not on the two days of New Year. Said Rabbina again: Did not the sages of Neherdai decide that the same is the case with New Year's day? R. Mordecai answered to Rabbina: I have heard Master plainly declare that he did not agree with the sages of Neherdai (Master means R. Ashi). Therefore do not molest him with this question.

The rabbis taught: A pullet which was born on a festival must not be eaten on the same day. R. Eliezer ben Jacob said even on a week-day it is not allowed to eat it on the same day, because its eyes are not yet open. We also learn in the following Boraitha: It is written [Lev. xi. 22]: "All flying insects that walk upon four legs shall be an abomination to you." By "all" it is meant to add the pullet whose eyes are not as yet open.

R. Huna said in the name of Rabh: An egg becomes ripe as soon as it is laid. What does Rabh mean to teach us by this statement? Shall we assume that he meant to say that it becomes ripe enough to be eaten with milk, which would not be the case if the egg were found in the entrails of a hen? Did not a Boraitha say: He who kills a hen and finds in it ripe eggs may eat them with milk? Shall we assume that Rabh means to teach us that when it is laid on a festival it may be eaten on that same day; but how if it were found in the entrails of a hen, would it not be allowed to eat it on a festival? Did not a Boraitha say that if ripe eggs are found in the hen on a festival day, they may be eaten? If it be said that Rabh means to teach us what the Boraitha has added to the Mishna (this cannot be said either, because) we have learned in the Mishna, an egg laid on a festival the school of Shammai permit to be eaten, etc. We see therefore that the above schools differed only about an egg laid already, but not about an egg found in the entrails of a hen; and

it cannot be said of the school of Hillel that they prohibited this, for then the above Boraitha which allows this would not be in accordance with any of the schools.

Rabh comes to teach us that only an egg which is laid is ripe to be put under a hen for hatching; but an egg which is found in the entrails of a hen, even if it were ripe, cannot be used for hatching, as it cannot breed pullets.

And the difference is in matters of buying and selling (*i.e.*, if one buy eggs for hatching and he was given eggs which were found in the entrails of a hen, the seller must return the money to him). As it happened once, one came to the market and asked for new-laid eggs and he was given eggs which were found in a killed hen. When the case was brought before R. Amai he decided that the sale was null and void and the seller must return the money. Is that not self-evident? One may say that when the buyer asked for new-laid eggs he meant eggs for eating, and he who sold him the eggs which were found in the killed hen has only to return to the buyer the difference between the value of a new-laid egg and one found in a killed hen. Therefore he comes to teach us that it is not so, but that the whole sale is null and void and the seller must return the money.

It happened, also, that one came to the market and asked for eggs of a hen which had paired with a cock, and he was given eggs of a hen which laid them by warming herself by scratching the earth; and when this case was also brought before R. Amai, he made the sale null and void for the same reason.

And if you wish, we will explain (the above saying of R. Huna in the name of Rabh), that an egg is ripe as soon as it is laid, means, that as soon as the greater part of it is out of the body of the hen, it is considered ripe; and this will be in accordance with R. Johanan, who said that an egg, of which the greater part was out on the eve of a festival, and it slipped back, and came out on the festival, it might be eaten the same day. And still others say, that Rabh means to teach that when the egg is wholly out then it is ripe, but not otherwise, the reverse of the opinion of R. Johanan.

The text says: When one has killed a hen and found ripe eggs in it, they may be eaten with milk. R. Jacob, however, said: When the egg is as yet covered with veins, it must not be eaten with milk.

The rabbis taught: All the females which have communication with their males in the day-time only, give also birth in the

day-time only; and those which have communication in the night-time only, give also birth in the night-time only. Those, however, which have communication at all times, give birth also at all times. Those that have communication in the day-time only: *e.g.*, a hen; and in the night only, *e.g.*, a bat; and at all times, *e.g.*, man and all animals similar to him.

To what purpose did the Master say all this? This is necessary to the following Halakha: R. Mari the son of R. Cahana says: One who has searched a chicken-coop on the eve of a festival at twilight, and does not find any eggs, and on the morrow before sunrise does find one, it may be eaten the same day (as it could not have been laid during the night). But did he not search the day before? Say, then, he did not search thoroughly; and even if he did search thoroughly, it is possible that at that time the greater part of the egg came out and slipped back again; and this is in accordance with what is stated above in the name of R. Johanan.

This is not so? For did not R. Jose b. Saul say in the name of Rabh: If one has searched a chicken-coop on the eve of a festival at twilight, and does not find any eggs in it, and on the morrow he finds one, it must not be used? He has reference to a hen which bears by scratching the earth (and such a hen may lay even at night). If it is so, say in the case of R. Mari also that the egg which was found in the morning was laid by such a hen.

There is the case where a male was in the coop. Even then, can it not happen that a hen may scratch the earth? Said Rabina: It is certain that when there is a male, no hen scratches the earth for the purpose of bearing. And at what distance in the neighborhood must the cock be? Said R. Gamda in the name of Rabh: As far as she can hear his voice in the day-time.

R. Mari, according to his decision, has decided a case (in which it was searched on the eve of a festival and nothing found in it, but an egg was found on the morrow, and there was no cock at) a distance of sixty houses.

When there is a stream between, the hen does not cross it, but she crosses a bridge; neither does she cross over a plank. It happened once that a hen crossed over a plank.

"*The school of Shammai say that leaven the size of an olive*," etc. What is the reason of their teaching? They maintain if the same size would be for leaven and leavened bread, why did the Torah need mention leaven at all? Let it have been written

" leavened bread," and it would be known from an *a fortiori* conclusion that leaven the size of an olive is prohibited (*i.e.*, as leavened bread, which is not as sour as leaven itself, one is culpable if he eats the size of an olive, so much the more, leaven itself the same size). Now, when the law mentioned leaven and leavened bread separately it is only to teach us that their sizes are different (leaven the size of an olive and leavened bread the size of a date). The school of Hillel, however, maintain that both are needed, because if *leaven* only were mentioned, one might say that because leaven is very sour, it must not be used, but leavened bread, which is not so sour, one may eat; if *leavened bread* only were mentioned, one could say that leavened bread which is fit to be eaten is prohibited, but leaven itself which is not fit for eating one is not culpable if he eats; therefore leaven is also mentioned.

We have learned also in a Boraitha: It is written [Ex. xiii. 7]: " And there shall not be seen with thee any unleavened bread, neither shall there be seen with thee any leaven in all thy boundaries." This is the point of difference between the school of Shammai and the school of Hillel: The first says, leaven the size of an olive and leavened bread the size of a date, and according to the latter, both are of the size of an olive.

" *When a person has killed*," etc. If one has killed already; but may he not commence it? Said Rabha: The Mishna meant to say that if a person wishes to slaughter an animal at a festival and comes to ask how he shall do it, the school of Shammai say he must be told that he may slaughter first, dig to get loose earth, and then cover; but the school of Hillel say he must be forbidden to slaughter unless he has loose earth prepared from the preceding day. R. Joseph, however, said, that according to the school of Shammai he must be told to dig first, slaughter, and then cover. Said Abayi to R. Joseph: Shall we assume that the Master and Rabha differ about what R. Zera said in the name of Rabh, as follows: Whoever slaughters a wild animal or fowl, must have loose earth beneath, to soak the blood, and some on the top, to cover with, as it is written [Lev. xvii. 13]: " Then shall he pour out the blood thereof, and cover it up with (or *in*) earth "?* It is not said " to place earth *on* it," but to " cover it *in* earth." From this we infer that there must be earth underneath and earth on the top. Now, the Master agrees with R. Zera (and therefore he must be told to dig first), but Rabha

* The Hebrew term is בעפר, which signifies both *in* and *with*.

does not agree with R. Zera (therefore in his opinion he must be told to slaughter first and dig after). Rejoined R. Joseph: We both agree with the dictum of R. Zera, and we differ on another point, namely, Rabha holds if there is already earth underneath, he may slaughter, but he must not dig first, for it may happen that he should afterwards reconsider the matter and not slaughter at all (then he will have dug for nothing), but I hold it is better to permit him to dig first, else it may be that he would not slaughter at all, and not enjoy the festival as becomes it.

"*Both colleges agree*," etc. R. Zriqa said in the name of R. Jehudah: The case is when one had a spade sticking in the ground from the preceding day. But he pounds the earth? (reduces the earth to powder). Said R. Hyya bar Ashi in the name of Rabh: It is meant that the spade was already in powdered earth.

"*As the ashes from the hearth*," etc. Where are the ashes mentioned? Said Rabha: The Mishna means to say, that the ashes from the hearth may be considered as always prepared. Said R. Jehudah in the name of Rabh: The case is when the hearth had been heated on the preceding day, but when the fire was made on the festival, it is not so. When the ashes, however, are hot enough for roasting an egg, they are considered as prepared. We have learned the same in a Boraitha, with the addition, that if one has brought loose earth for his garden or for a ruin, he may cover the blood with it.

R. Jehudah said again: One may bring a basketful of earth, and do with it all that he needs. Lectured Mar Zutra in the name of Mar Zutra the great: The case is when he has separated a corner for it.

An objection was raised: We have learned elsewhere: A kui* must not be slaughtered on a festival, and when it is, its blood must not be covered. Now, if it be so, let him cover it as R. Jehudah said above? What question is it—he could also cover it with the ashes of the hearth, or with a spade in powdered earth? We must say, then, that they were not available; and it is the same with the basketful of earth mentioned above, that he has not any. If such is the case, why a kui, of which it is doubtful whether his blood must be covered or not? Even an animal of which it is certain that his blood must be covered, the same is the case? The Mishna means to say, that not only an

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* Cross between a he-goat and a hind.

animal of which it is certain that his blood must be covered must not be slaughtered, unless he has prepared a covering; but even an animal which is doubtful, lest one say that because of the enjoyment of the festival it shall be slaughtered without covering, it comes to teach us that he must not. But did not the latter part of the Mishna state, that if it *was* slaughtered the blood must not be covered, from which we must infer that the first part of the Mishna means, even when he has a prepared covering for it?

Therefore said Rabha: The ashes of the hearth are only considered to be prepared when the animal is of a species whose blood must be certainly covered; but when the animal is of a kind about the covering of whose blood there is a doubt, it is not so (*i.e.*, the ashes must not be handled for this purpose, as they are Muktzah). And this is in accordance with his theory elsewhere, that if one has brought earth to cover with it dung, he may cover with it the blood of a fowl, but not *vice versa*. The sages of Neharbelai, however, said that even if he has brought the earth for the purpose of covering with it the blood of a fowl, he may cover with it dung also. In the West R. Joseph bar Hama, and according to others Rabha the son of R. Joseph bar Hama, and R. Zera differed on this point. According to one a kui (about which it is doubted whether it is a wild or domestic animal) is regarded as dung, and according to the other it is not so (but who entertained either of these two opinions it was not known). Now, from the above teaching of Rabha, who said that earth prepared for a fowl must not be used for dung, we infer that Rabha is the one in whose opinion a kui is regarded as dung.

Rami the son of R. Jebha, however, said that the reason that we do not cover a kui on a festival is as a precautionary measure, lest one think the use of its tallow permissible. If so, let it not be covered even on a week-day? Nay, on a week-day one (who sees the blood covered) may think it is done for the purpose of cleaning the yard. But what shall be the reply to him who comes to ask (whether he should cover the blood)? Therefore we must say, that the reason is this: On a week-day, when it is doubtful, the sages decree that nevertheless he should trouble himself to cover it, but on a festival day the sages do not wish to put him to perhaps unnecessary work.

R. Zera taught: Not the blood of a kui only is it prohibited to cover on a festival day, but even when a slaughtered domestic animal's and fowl's blood were mixed together, it must not be

covered either. Said R. Jose bar Jasiniah: The case is when one cannot cover the whole blood with one (shovelful) stroke of the spade, but if he can, he must cover it. Is this not self-evident? One might say that we should prohibit this as a precautionary measure to prevent him from making two strokes. Therefore he comes to teach us that such precautionary measures are not necessary. Rabha said: If one has slaughtered a fowl on the eve of a festival, the blood must not be covered on the festival; but if he kneaded dough on the eve of a festival, he must separate the "first dough" on the festival. The father of Samuel, however, said that even this is prohibited.

MISHNA: Beth Shammai say: It is prohibited to remove a ladder from one dove-cote to another; it may, however, be inclined from one opening to another (of the same dove-cote). But Beth Hillel allow both.

GEMARA: R. Hanan bar Ammi said: Both schools differ only when it is done in public ground: According to Beth Shammai one who will see him carrying a ladder may think he is going to repair his roof; but Beth Hillel do not care for that, for they say the dove-cote will show the man's purpose of carrying the ladder. But if this is done in private ground (where there is no person to see his act), all agree that this is permissible. But is it so? Did not R. Jehudah say in the name of Rabh, that all which is prohibited on account of its liability to be seen (and misjudged) remains so even in the greatest privacy? In this the Tanaim differ (Sabbath, pp. 336, 337).

Our Mishna does not accord with the Tana of the following Boraitha: R. Simeon b. Elazar said both schools agree that the ladder may be carried from one dove-cote to another; the point on which they differ is whether the ladder may be carried back. The school of Shammai prohibit it, and the school of Hillel allow even this. Said R. Jehudah: The Mishna refers only to a ladder used for a dove-cote, but a ladder to an attic all agree is prohibited. R. Dosa said he may incline it from one window to another. Anonymous teachers say in the name of R. Dosa, that he may also trail the ladder (making it change its position by turning it about).

The children of R. Hyya were going out into the villages. When they came back their father asked them, was no question asked of you, which you have decided? and they answered that they were asked whether a ladder of an attic may be inclined on a festival, and they allowed it. And he said to them: Go, pro-

hibit what you have permitted. (Said the Gemara): "The children of R. Hyya thought that R. Dosa had allowed what R. Jehudah prohibited, and it was not so; he only allowed what the first Tana did not prohibit; *i.e.*, a ladder to a dove-cote, allowed by the first Tana even to be carried, R. Dosa permits only to incline.

"*It may, however, be inclined from one opening,*" etc. We learn also in another Mishna farther on: The shutters (of shops) must not be removed on a festival, so is the decree of Beth Shammai; but according to Beth Hillel they may be even returned to their places. From this we see that concerning the enjoyment of the festival, the school of Shammai are rigorous, and the school of Hillel are lenient. Is not this in contradiction to the first Mishna of this chapter, where we see the opposite? It would be (intelligible) if we explain the first Mishna's meaning that it speaks of a spade stuck in the ground before (then Beth Shammai would not be more rigorous). But what can be said of the self-contradiction of Beth Hillel? Said R. Johanan: Change the names of the authorities (assume the prohibitions to be made by Beth Shammai and the permissions by Beth Hillel). Says the Gemara: Perhaps it is not so, because we can explain the lenience of Beth Hillel in the case of the shutters by the fact that the law of building cannot be applied to vessels (according to their theory); but in the first Mishna, where such a reason cannot be found, they did not permit.

MISHNA: Beth Shammai say: It is unlawful to remove the birds from their places, unless they have been handled *before* the festival; but Beth Hillel say: It is unnecessary to do more than stand on the eve of the festival before the dove-cote and say: "This and this bird will I take for the festival."

GEMARA: Said R. Hanan bar Ammi: They differ only about the first brood of pigeons. Beth Shammai hold that if one will not handle it before the festival, he may change his mind (and spare it when he comes to take it on the festival, and will take others instead of them, but if he has handled it on the previous day, we are sure that he will not change his mind). Beth Hillel, however, do not entertain this fear. But as for the second brood, all agree that it is enough if he says before the festival: "I will take this and this."

According to Beth Hillel, why is it needed one should mention the individual bird? Would it not suffice to refer to the whole dove-cote (and say, "from this dove-cote I will take

more")? Should we assume that the school of Hillel do not hold the theory of premeditated choice (see Vol. III., p. 80)? But this would not be right, as from the Mishna (Oholath, VII., 3), we know that the school of Hillel hold this theory. Said Rabha: It is needed for the reason that if he will not point out the individual, he may handle the next day all birds of the dove-cote except the one he chooses (if any) unnecessarily. But did not Beth Hillel say it is enough if he says: "I will take this and this bird," and yet he may reject it when he comes to take it for slaughtering? Nay, this is on the eve of a festival, if he has chosen some of them, be they lean or fat, he will not exchange them for others; but if he did not so on the eve, and he comes to choose them on the festival itself, it may be that he will be compelled to handle many until he finds one that is fit, or it may happen he finds none fit, and he will handle them for no purpose, and he will be deprived of the enjoyment of the festival.

MISHNA: If a person who had prepared for a festival black pigeons finds white ones, or having prepared white pigeons, should find black ones; or two birds, and he find three, they must not be used. If three birds had been prepared and two only are found, they may be used; but if they had been prepared within the nest, and are found before the nest, they must not be used unless there were no other birds but these in the dove-cote.

GEMARA: Is not this self-evident? Said Rabba: The Mishna refers to a case when one had prepared both white and black, and on the morrow, when he comes to take them, he finds they have changed places. One might say that the pigeons are all the same, but they have changed places, hence the Mishna comes to teach us that it is not customary for the birds to change places, and therefore we must say that all the old ones are gone, and those which are found are other pigeons. Shall we suppose that this Mishna is in support of the decree of R. Hanina, who said that when one has to decide according to the majority of cases similar to one at hand, or according to the intrinsic probability, one should decide according to the former? (As our Mishna decided that they are other pigeons, and that is because in the majority of cases pigeons do not change places, we see that the Mishna decides according to majority and not probability.) Nay, the case of the Mishna can be explained as Abayi says farther on, that it means not in the nest itself, but on the board before the

nest, where strange pigeons also come and roost (and so decides not according to majority, but probability).

"*Or two birds, and he finds three*," etc. Why is it so? For all reasons: Either all are strange pigeons, or at least one.

"*If three birds*," etc. Why so? Because two are the same, though one is gone. Shall we assume our Mishna is only according to Rabbi, and not the sages of the following Boraitha? If one had left at a certain place one hundred zuz of second tithe, and he found afterwards two hundred zuz, the ordinary and the second tithe money are mixed together. Such is the decree of Rabbi. But the sages said that the whole is considered as ordinary money (considering the first hundred as having been stolen, and this to be other money). But if he left two hundred zuz, and found only one hundred, it is considered that one hundred has been stolen, and the other hundred remains. So is the decree of Rabbi. But the sages said that the remainder becomes ordinary. Hence we see that the case of the doves in our Mishna is according to Rabbi? Nay, the Mishna can be explained even in accordance with the sages, for it was taught in addition to this Boraitha, that R. Johanan and R. Elazar both said that in the case of pigeons the law is different because pigeons have the habit of leaving their nest for short whiles.

"*But if they had been prepared in the nest*," etc. Shall we say *this* part of the Mishna is in support of the above decree of R. Hanina? Here it can also be explained as the former according to Abayi (that the board before the nest is meant where strange pigeons come to roost). Rabha, however, said: The Mishna refers to a case where there were two nests, one on the top of the other; and not only is one prohibited to use pigeons found before the lower nest, when he had prepared same in the lower, and found both nests empty, because it is considered that from only the lower nest they are gone, and those from the upper nest have come down; but if he had prepared them in the upper one, and found them in front of it, while both nests are empty, the case is the same; though usually pigeons do not go up, it is considered that the upper pigeons are gone, and those of the lower nest came up in front of the upper nest.

"*Unless there were no other birds*," etc. How was the case? Shall we say flying pigeons are meant? Then it may be assumed that those that had been in the nest had flown away, and these are strangers. And if pigeons too young for flying are meant, then if there is a nest within fifty ells, we may say that those

that were here bounded away, and these are strangers; but if no strange nest is near, is it not self-evident that they are the same and may be used, as Mar Uqba bar Hamma said: A pigeon that cannot fly yet is not able to bound away more than fifty ells? Nay, it can be explained thus: There is a nest within fifty ells, but it is situated in a corner so that the pigeons could not see it. They are in their own nest, and the Mishna comes to teach us, that the fear of their bounding away is only when there is another nest within fifty ells, which is visible to them when they are in their own nest; but if not visible, they do not bound away at all.

MISHNA: Beth Shammai say: The (large wooden) pestle may not be moved for the purpose of using it as a block to cut meat upon; but Beth Hillel allow it. Beth Shammai teach: It is unlawful to lay down a skin to be trodden on (as a preparation for its being tanned) or to raise it from the ground unless the (*minimum*) quantity of meat of the size of an olive be thereon; Beth Hillel, however, allow it.

GEMARA: We have learned in a Boraitha (an addition to this Mishna) that all agree that if one has already cut meat on this pestle, it may not be handled more (because the occasion on which it was necessary for the festival is over).

Said Abayi: Even if the pestle mentioned in the Mishna was a new one, made only for breaking bones, the case is the same; (and Abayi found this necessary to explain) lest one say, that because it is a new one, it shall be feared that he will change his mind and will not use it for this purpose, and so it will be handled unnecessarily, and therefore the Mishna comes to teach us that this fear is not entertained. From this we see that Beth Shammai have not such fear. But did we not learn in a Boraitha: Beth Shammai said the slaughterer and the knife must not be brought to the animal, nor, *vice versa*, it to them (for fear of his changing his mind, and not slaughtering at all, and being troubled for nothing)? And the same is the case with spices and the pestle, which must not be carried to the mortar, nor *vice versa*. But Beth Hillel allow both (hence we see that the school of Shammai fear his changing his mind). What comparison is it? He can reject on second consideration an animal because he wants a fatter one, or spices because he resolves to have a dish without spices, but in this case the animal is already slaughtered and the meat is for cooking; hence he must cut it and prepare it for eating.

"*Beth Shammai teach it is unlawful to lay down a skin*," etc. We have learned in a Boraitha: Both schools agree that meat for roasting may be salted on the skin. Said Abayi: Only for roasting is it permitted to salt meat on it, but not for boiling (because for roasting much salt is not necessary, but for boiling more is needed). Is not this self-evident? It is plainly stated, "for roasting." Abayi comes to teach us that even for roasting, if more salt is needed than ordinarily, it is not permitted.

The rabbis taught: Tallow must not be salted and must not be turned over. In the name of R. Joshuah, however, it was said that one may spread it out upon nails for being aired. Said R. Mathna: The Halakha does not prevail according to R. Joshuah; but wherein differs this case from the case of the skin in our Mishna? (The cases are not identical.) When one sees him spreading out the skin, he may think because it is fit for sitting on, it is spread out for such purposes; but when one will be allowed to salt the tallow, he may say: For what purpose have the sages allowed it? Only that it shall not become spoiled. Then what is the difference between spreading and salting, and he will also salt it?

R. Jehudah in the name of Samuel said: One may salt several pieces of meat at one time, though only one of them is needed. R. Adda bar A'hbah had recourse to ingenuity, and used to salt meat for a festival meal (salting one piece with the pretext that he will use it, and then rejecting it, and choosing another, and so on).

MISHNA: The shutters of stalls must not be removed on a festival according to Beth Shammai; but Beth Hillel allow even to replace them.

GEMARA: What kind of shutters is meant? Said Ula: The shutters of movable stalls. He said again: There are three things of which the finishing was allowed (though not essential for the festival), for the reason of the beginning (which *was* necessary; *i.e.*, if it would not have been allowed to finish them, they would not have been begun). They are: The skin for the tanner, the shutters of the shops,* and the replacing of a plaster (on the priest's hand †) in the Temple. And Rhaba said in the

* It means that he would not slaughter the animal at all if he would not be sure that the skin would not be spoiled; and so he would not open the shop to take out what was necessary for the festival, if he would not be allowed to shut it again, and the festival would be without enjoyment.

† As the priest is not permitted to do his work of sacrificing when there is something between (Hatzitzah, *intervention*) his hand and the victim.

name of Rabh Jehudah the Babylonian Amora: * The same is the case when one opens a barrel or begins to knead dough on the festival (he may stop up the barrel, or finish the kneading, because he would not begin if he were not permitted to finish, and his enjoyment of the festival would not be complete), and this is according to Rabbi Jehudah the Tana, who said (in Hagigah, p. 52), he shall finish it.

Our Mishna is not in accordance with the Tana of the following Boraitha: R. Simeon b. Elazar said: The schools both of Shammai and Hillel agree that the shutters may be removed on the festival; they differ only about the replacing of them. Beth Shammai do not permit this, and Beth Hillel allow even this. But this is in case there are hinges, but if there is none all agree it is permitted. But have we not learned in another Boraitha the contrary of this? Said Abayi: It can be explained so: If the hinges are at the sides of the shutters, all agree it is prohibited; † if there are no hinges at all, all agree it is permissible. They differ only on this point when the hinges are in the middle: Beth Shammai prohibit it as a precautionary measure, lest one think it permissible also even when they are at the sides, and Beth Hillel think such a precautionary measure is not to be taken.

MISHNA: A child, a Lulab (a branch of a date-tree), holy scrolls, must not be carried in public ground according to Beth Shammai; but Beth Hillel allow it.

GEMARA: In the presence of R. Itz'hak bar Abdimi one Tana taught as follows: If one slaughters a voluntary offering on a festival, he is liable to the penalty of stripes. Said R. Itz'hak to him: According to whom is your teaching? That is only according to Beth Shammai, who do not hold the theory that because it is permitted to carry things for the purposes of the festival, it is permissible to carry other things, even when they are not necessary for the purposes of the festival; but according to Beth Hillel, who hold this theory, we can say, because slaughtering for the festival is permitted, slaughtering for other

* Rashi says: To some people it is doubtful if it was in the name of R. Jehudah the second, or R. Jehudah the disciple of Samuel; but I say, he added, that Rhaba, who was from Pumbeditha, had never seen R. Jehudah the second, as we do not find that he, sometime in his life, ever went to Palestine. Moreover, it is said elsewhere that no one was so particular in his study as Rhaba of Pumbeditha, and we must assume that Rhaba was so particular that he would not leave in his words any doubt about the man in whose name he said it; and if it was Jehudah the second, he would have certainly mentioned it.

† As when the hinges are at the sides, it is very difficult to remove and replace.

purposes is also permitted, consequently he is not liable to stripes. R. Johanan's opinion is also that Beth Shammai and Beth Hillel differ about the acceptation of the above theory.

Because a disciple has taught in the presence of R. Johanan thus: If one cooks the sinew which shrank [Gen. xxxii. 33] in milk on a festival, and eats it, he is liable to five times stripes: once for cooking the sinew, once for eating it, once for cooking meat in milk, once for eating meat with milk, and once for kindling a fire on the festival. And R. Johanan said to him: Go with thy teaching out of the college, because for kindling a fire and cooking on the festival he is not liable for stripes, according to the teaching of the Mishna; and even if you would find a Mishna which is in accordance with your teaching, it could be only according to the school of Shammai, who deny the theory that, because it is permitted to kindle a fire and to cook for the purposes of the festival, it is permissible also for other purposes; then, according to the school of Hillel, who agree with this theory, no Mishna could teach so. Now then, when kindling and cooking are permitted on the festival, you must remove the stripes for cooking and kindling out of the whole case.

MISHNA: It is unlawful, according to Beth Shammai, to carry to the priest on a festival the first dough (Halah) or other gifts, whether they had been set apart for that purpose on that day or on the preceding day. Beth Hillel, however, allow this. Said Beth Shammai: Let us say to them: Is there not an analogy of expression in both? First dough and other priestly dues are called gifts to the priest (Matanoth); and heave-offering (Terumah) is also called gifts to the priest. Now, as the last is prohibited, the same must be the case with the first? Rejoined Beth Hillel: Nay, how can the gifts be compared to heave-offering? The last one is not allowed to be set apart on the festival, whereas other gifts may.

GEMARA: At the first glance, the teaching of the Mishna, "whether it had been set apart on the same day," would seem to mean that it was slaughtered and set apart on the same day, and the expression, "the preceding day," would seem to mean that it was slaughtered also on that day. If it is so, however, according to whose opinion would the Mishna be? Not according to R. Jose, not according to R. Jehudah, but according to the anonymous teachers. As we have learned in the following Boraitha: R. Jehudah said: Beth Shammai and Beth Hillel do not differ about the gifts that were set apart on the eve of a festival,

whether they might be brought together with the gifts set apart and slaughtered on the festival. What they differ in is only whether those set apart on the eve of the festival might be brought to the priest separately. Beth Shammai do not allow this, and Beth Hillel permit it. R. Jose, however, said that the above schools do not differ about gifts at all, but only about the heave-offering; but an anonymous teacher said that they never differ about the heave-offering, which is prohibited according to all, but only about other gifts. Hence our Mishna is in accordance with the anonymous teachers. Said Rabha: Did the Mishna teach that they were set apart and *slaughtered* on the same day? They were set apart on that day, but may have been slaughtered on the previous day. Then the Mishna will be according to R. Jehudah only, but not according to the anonymous teachers? Nay, we may say it is in accordance with the anonymous teachers also, but the point on which they differ would be the gift that had been slaughtered on a preceding day. If it is so, the anonymous teachers would say the same as R. Jehudah? Nay, there is a difference about the adding of the gifts set apart on the preceding day to those set apart on the festival itself (according to R. Jehudah it may be done, and according to the anonymous teachers it may not). Said R. Jehudah in the name of Samuel: The Halakha prevails according to R. Jose.

R. Tubbi the son of R. Nehemiah possessed one pitcher of wine of heave-offering on a festival, and he came to R. Joseph and asked him: Can I give it away to the priest to-day? And the answer was, that R. Jehudah in the name of Samuel declared the Halakha prevails according to R. Jose (who permits).

The host of an inn where Rabha bar R. Hanan was staying, possessed bundles of mustard stalks, and he asked his guest: May I thrash it and eat it on a festival? And he did not know the law. And he came before Rabha, who told him: We have learned in a Tosephta, one may pluck ears or crush pea-pods to get out the grains or peas on a festival. Abayi objects: We have learned in a Boraitha: Whoso has plucked ears on the eve of Sabbath, he may blow away chaff on the Sabbath from one hand into another, and eat, but not sieve. If he has done it on the eve of a festival, he may sieve it on the next day in a small but not a large sieve (that it may not be thought he does it for the next day). Hence it seems from this that to do it on the festival itself is not allowed. Rabha answered: The same would be the case on the festival itself. But as in the first part it is said: On

the eve of Sabbath, so in the last part he speaks of the eve of the festival. (Said Abayi again :) If it is so, then we find a case in which it is allowed to set apart heave-offering on a festival (as it is usually taken from a quantity of grains, not ears); and here, when he thrashes the ears for the purpose of eating the grain, you allow him to separate the heave-offering of it, for otherwise he is not allowed to eat, and in our Mishna it is plainly stated that the heave-offering is not allowed to be set apart on the festival. Rabha answered: It presents no difficulty. Elsewhere it is said, according to Rabbi's opinion heave-offering may be separated on the festival, and only R. Jose bar Jehudah opposed him, and our Mishna is in accordance with the latter.

How shall one pluck (a change from the ordinary week-day manner there must be)? Abayi in the name of R. Jose said: He shall pluck it with the thumb and the index-finger. But R. Ivya upon the same authority said: The thumb and the two fingers next to it. Rabha, however, said: As soon as he does it in a peculiar manner, the number of fingers he employs is a matter of no great consequence.

How shall one blow? R. Adda bar A'hba said in the name of Rabh: He shall blow only off his fingers (but not the palms). But in Palestine they ridiculed this, saying that, provided he does it in a peculiar manner, he may employ his palms also. Therefore R. Elazar said: He may blow it off one hand with his whole might (but must not use the other).

MISHNA: Spices may be pounded on a festival with a wooden pestle only, and salt with an earthenware jug, or with a large wooden spoon, according to Beth Shammai. But Beth Hillel say: Spices may be, as usual, pounded with a stone pestle, and salt with a wooden spoon.

GEMARA: From this we see that all agree that salt must be pounded in a different manner. Why? R. Huna and R. Hisda: One said, because all the dishes must have salt, but not all the dishes must have spices; and the other said, all the spices lose their fragrance, but not salt. What is the difference between the two? If one knows on the eve of a festival what dish he will prepare on the morrow? According to the former it needs a peculiarity (because he could have prepared it on the eve); and according to the latter it needs not, because had he prepared it on the eve the spices would lose their fragrance.

R. Jehudah in the name of Samuel, however, said: All that is pounded may be pounded on a festival as on week-days, even salt.

Did we not say above, that salt must be pounded differently? He holds with the Tana of the following Boraitha: R. Meir said: Both schools of Shammai and Hillel never differ about the point that all things may be pounded on a festival as on week-days, and salt when it is among them: what they differ about is, whether it may be done so when it is separate. According to Beth Shammai it must be pounded with an earthenware jug or a large wooden spoon; and only in a quantity needed for roasting, but not for stewing into a pot; but Beth Hillel allow any quantity.

R. A'ha Bardla said to his son: If it shall happen that you will have to pound something on a festival, you should incline your mortar, and then pound (*i.e.*, he shall make some change in the manner of pounding). R. Shesheth heard on a festival the sound of pounding in a mortar, and he said: It is surely not in my house. Why was he sure? Perhaps the mortar was inclined? Because he could infer from the sound that this was not so. Perhaps they were pounding spices? Then the sound would have been different.

The rabbis taught: *Ptisana* * must not be made on a festival, for nothing may be pounded. But a small quantity may be pounded in a small mortar.

It once happened that R. Papa was the guest of Mar Samuel, and *Ptisana* was offered him, but he did not partake of it. Why? Perhaps it had been done in a small mortar? He did not choose to trust his host's servants, because they were disobedient.

MISHNA: When one picks pulse on a festival, he may, according to Beth Shammai, only pick out the eatable part and eat it; but according to Beth Hillel he may pick it as usual in his lap, in a basket with holes, or in a large dish, but not on a large table, or through a small or large sieve. Rabban Gamaliel says: It is also lawful to pour water thereon, and remove the part not fit to eat, by hand.

GEMARA: We learn in a Boraitha: Said R. Gamaliel: The Mishna refers to a case when there was more of the eatable part than of the part unfit for eating; but if the opposite was the case, then all agree that he may take out only the eatable part and leave the rest. Is there any one who is allowed to do as usually even when the unfit part was larger than the rest? R. Gamaliel meant to say, that even when the quantity of the unfit part was

* Latin for a dish of pounded barley.

small, but to pick it out would be more trouble than to pick out the eatable part, all agree that he shall do what gives less trouble.

"*Rabban Gamaliel said*," etc. We have learned in a Boraitha: R. Elazar bar Zadok said: Such was the custom in the house of Rabban Gamaliel: They usually brought a pail full of lentils and poured water on it, and the eatable part settled down, while the unfit part remained floating; but another Boraitha states the contrary (that the unfit part settles down, etc.)? It presents no difficulty: the straw floats above, but if there is any dust or other such matter, it sinks.

MISHNA: It is unlawful for one to send to another as a present on the festival anything but eatables, according to Beth Shammai. Beth Hillel, however, permit to send even cattle, game, and poultry, either slaughtered or alive; also presents of wine, oil, fine flour, and pulse, but not grain. R. Simeon allows also to send grain.

GEMARA: R. Je'hiel taught: This is permissible only when he sends it by a few persons, but not by a whole line of men. A Boraitha taught that a line is not constituted by less than three men.

"*R. Simeon*," etc. A Boraitha taught: R. Simeon permits to send grain; *e.g.*, wheat, to make of it a dish which the inhabitants of Lydia used to make (by grinding the grains of wheat); barley, to give it to cattle; and lentils, to make of them a dish.

MISHNA: It is also permitted to send clothes, sewed or not, even of "Kelayim," in case they can be used on the festival, but not sandals with iron nails or unfinished shoes. R. Jehudah says: White shoes may not be sent either, because an artificer is required to make them fit for use. This is the general rule: Whatever can be used on the festival, may be sent as a present thereon.

GEMARA: It is right that sewed clothes should be permitted on a festival, because they can be used, and clothes not sewed may also be used for covering; but how can Kelayim be used? The Mishna meant to say rough clothes which can be used for sitting upon, and this is according to R. Huna the son of R. Joshuah, who said that felt of the city of Narash (which was rough) might be worn even if in it is Kelayim (linen and wool mixed together).

"*But not sandals*," etc. What is the reason? Because once

an accident occurred.* Said Abayi: Sandals with iron nails must not be worn, because an accident happened on account of them, but they may be handled; and this we infer from our Mishna, which says that they shall not be sent, and if it were disallowed to handle them, it would be self-evident that they could not be sent.

"*Or unfinished shoes.*" Is it not self-evident? The Mishna means to say that even if there were nails in them already (so that they could be put on), yet being unfinished, they might not be sent.

"*R. Jehudah says,*" etc. We have learned in a Boraitha: R. Jehudah permits to send black shoes, but not white, because lime is needed to make them white; and R. Jose prohibits black shoes, because they must be polished. They do not disagree, however. Both speak of the customs in their respective places. In the place of one Master the skin of the shoes had the inner side turned out, and therefore it had to be made white; while in the other the opposite was the case, and polishing was needed.

"*This is the general rule,*" etc. R. Shesheth permitted to his disciples to send phylacteries on a festival. Said Abayi to him: Did not we learn in our Mishna, only a thing which can be used on the festival may be sent (and phylacteries are not used then)? And he answered: The Mishna meant to say things fit to be used on a week-day may be sent on a festival. Said Abayi: When the phylacteries are spoken of we would like to say something: If one was on the road on the eve of Sabbath or of a festival, and the Tefilin were on his head and the sun set, he may lay his hand on the Tefilin and thus come to his home. The same is the case when he was sitting in the house of learning and the Tefilin were on his head, he may lay his hand on them until he comes home.

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*See Tract Sabbath, p. 116.

## CHAPTER II.

### REGULATIONS CONCERNING THE COMBINING OF COOKERY ON A FESTIVAL PRECEDING A SABBATH.

MISHNA: When the festival falls on Friday, it is unlawful to prepare thereon, on purpose, any food for the Sabbath, but for the festival alone, and whatever remains may be used for the Sabbath; and one may prepare on the eve of the festival one dish for the Sabbath especially, and then he may continue cooking on the festival for the Sabbath. Beth Shammai, however, say: Two dishes are necessary; Beth Hillel say: One is sufficient. Both, however, agree that fish and egg upon it may be considered as two dishes. If the dish thus prepared has been eaten or lost, nothing more may be cooked in addition to it; but if any small portion whatever is left, it suffices.

GEMARA: Whence is this deduced? Said Samuel: It is written [Ex. xx. 8]: "Remember the Sabbath day to keep it holy"; from which we infer that we should remember it when we are liable to forget it (*i.e.*, when it is holiday already, one can forget it). Our Tana, however, infers this from the following passage [ibid. xvi. 23]: "What ye shall bake, bake to-day; and what ye shall seethe, seethe to-day." From this R. Elazar inferred that it shall not be baked unless same is baked already, and it shall not be cooked unless same is cooked already. And this is used by the sages as a biblical support to the law of the combining of cookery.

The rabbis taught: It once happened that R. Eliezer was sitting and lectured a whole day (of the festival) about the laws relating to festivals. The first part of his audience arose and went out, and R. Eliezer said: These people must have great barrels of wine, and they are in a hurry to drink them. The second portion of the audience went away, and he said: These people must have smaller barrels. Of the third part he remarked: They must have cans. Of the fourth he said: They must have *lugs*. When the fifth part left him, he said: They must have only goblets. When the sixth part began to

depart, he said: They are worthy to be scolded (because the college began to be empty). At the same time he looked upon his disciples and saw the color of their faces was changed, and he said to them: My children, I did not mean you. I spoke only about those people who leave eternal life for temporary affairs. When his disciples were going away, he said to them [Nehem. viii. 10]: "Go your way, eat fat things, drink sweet drinks, and send portions unto him for whom nothing is prepared; for this day is holy unto our Lord: and do not grieve yourselves; but let the joy of the Lord be your stronghold."

The Master says: "Because they leave eternal life for temporary affairs." Is not the enjoying of the festival a religious duty? R. Eliezer said this in accordance with his theory that the enjoying of a festival is not obligatory, as we learned in the following Boraitha: R. Eliezer said: A man has nothing to do on a festival but either to eat and drink the whole day, or to sit and study; but R. Joshuah said: He must divide the day—one-half of it for eating and drinking, and one-half of it for religious purposes. Said R. Johanan: The above both sages deduce from the following verse [Deut. xvi. 8]: "On the seventh day shall be a solemn assembly unto the Lord thy God"; another verse [Num. xxix. 35]: "An assembly shall be to you." How can the contradiction between these two verses be explained? R. Eliezer explains it thus: The whole day shall be either for you or for the Lord; but R. Joshuah explains it thus: Divide the day—one-half for the Lord and one-half for you. Said R. Elazar:* All agree that on Pentecost the day must be partly devoted to one's self also. Why so? Because on this day the law was given to Israel, and we must enjoy it. Said Rabha: All agree also that on a Sabbath the day must be devoted to one's self also. Why? Because it is written [Is. lviii. 13]: "Thou shalt call the Sabbath a delight." And R. Joseph said: All agree that on the festival of Purim the day must also be devoted to one's self, as it is written [Esther, ix. 22]: "To make them days of entertainment and joy." Mar the son of Rabina was fasting the whole year except on Pentecost, Purim, and the eve of the Day of Atonement: Pentecost, because the law was given; Purim, because they are days of joy and entertainment; and the eve of the Day of Atonement, for a reason that is explained in Tract Yomah, p. 129.

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* This is transferred from Pesachim, p. 68, b.

R. Joseph on the days of Pentecost used to say to his domestics: Prepare for me a calf which is the third-born (of the third birth), saying: If not this day be the reason, how many Josephs are there abroad! (and but for the law, he would not be distinguished among them).

R. Shesheth used to repeat his studies every thirty days, and, supporting himself against the wall of the college, said: Rejoice, my soul! Rejoice, my soul! For thy sake I have read, for thy sake I have studied.

What is meant, in the above verse of Nehemiah, by "send portions to those for whom nothing is prepared"? Said R. Hisda: It refers to those men who have not made an Erub Tabshilin (combining of cookery). What is meant by "let the joy of the Lord be your stronghold"? Said R. Johanan in the name of R. Elazar bar Simeon: The Holy One, blessed be He, said to Israel: My children, borrow money for my sake, and rejoice on the holy day, and trust to me, I shall pay it.

R. Tachlipha brother of Rabanai Huzaah taught: All the necessaries of a man are appointed for him in the Heavenly Court in the ten days between New Year and the Day of Atonement, except the expenses for Sabbath, the festivals, and the studies of his children: the amount for these purposes appointed for him in Heaven is the same as that which he spends (and varies with it).

We have learned in a Boraitha: It was said that Shammai the Elder used to eat all days for the honor of Sabbath. When he found a good animal, he used to say: This shall be for Sabbath. But when he found a better one, he ate the former, and left the better one for Sabbath; but Hillel the Elder had another habit: Because all his deeds were for the sake of Heaven, as it is written [Ps. lxviii. 20]: "Blessed be the Lord! *day by day* he loadeth us with benefits" (trusting in God to provide for Sabbath at the proper time).*

"*One may prepare on the eve of the festival one dish,*" etc. Said Abayi: Only a dish is good for the purpose, but bread alone is not. Why so? Shall we assume it is required to have an article of food which is not often eaten, and bread is always eaten, then a dish of *disa* (mush), which is rarely eaten, is nevertheless disallowed by R. Nehuma bar Zachariah in the name of Abayi? The reason is this: One must have a thing which can be eaten

* The saying of R. Johanan here is transferred in our edition from here to Tract Sabbath, p. 18, as it belongs there.

*with* bread, and *disa* cannot be eaten with bread. As it happened that R. Zera saw people eating *disa* with bread, he said: The Babylonians are fools, they eat bread with bread!

R. Hiya taught: Lentils which are on the bottom of a pot may be used as an Erub Tabshilin, if the quantity is of the size of an olive. R. Itz'hak the son of R. Jehudah said that the fat of a fowl, if it is of the size of an olive, may be similarly used. And R. Abha said in the name of Rabh: The prescribed quantity for an Erub is the size of an olive, and it is sufficient for one or for one hundred persons. Said R. Huna in the name of Rabh: The combining of cookery must be done intentionally. It is certain that the person who makes the Erub must have the intention, but how is it with the person for whom the Erub is made? Is his intention also needed, or is it not? Come and hear: The father of Samuel made an Erub for all the inhabitants of Nehardai, and R. Ammi and R. Assi made an Erub for the whole population of Tiberia (hence the intention of those for whom the Erub is made is not necessary).

R. Jacob bar Idi proclaimed: Everybody who has not made an Erub Tabshilin shall rely on my Erub Tabshilin (and shall do the preparing for Sabbath). And at what distance? Said R. Nehuma bar Zachariah in the name of Abayi: As far as the legal limit of Sabbath (2,000 ells).

There was a blind man who had classified Mishnaioth before Mar Samuel; and Mar Samuel saw he was downcast. And he asked him: Why are you downcast? And he answered: Because I have not made an Erub Tabshilin. Said Mar Samuel to him: Rely upon mine. The next year he saw him again sad, and got the same answer, and Mar Samuel rejoined: If it is so, you are a transgressor (you have not made one intentionally). All can rely upon my Erub Tabshilin, but not you.

The rabbis taught: On a festival which happens to be on Friday, the Erub of legal limit and the Erubin of courts are not to be made. Rabbi, however, said: The Erub of legal limit is not to be made, but the Erubin of courts may, because you can prohibit one to do a thing for to-morrow which he may not do to-day; but you cannot forbid a man to do a thing for to-morrow which he may do to-day (Erubin of courts are needed only for Sabbath, but not on festivals). It was taught: Rabh said the Halakha prevails according to the first Tana, but Samuel said the Halakha prevails according to Rabbi.

The rabbis taught: On a festival following on Sabbath one

shall say eight benedictions; that is to say, the Sabbath benediction separately. Beth Hillel, however, said: One shall pronounce seven benedictions, and he shall begin and close with Sabbath, and shall include the holiness of the day. Rabbi said: He shall close with the benediction: "Blessed be He who sanctifies the Sabbath, Israel, and the festivals." A disciple taught in the presence of Rabina: "Who sanctified Israel, the Sabbath, and the festivals," and Rabina rejoined: Does Israel then sanctify the Sabbath? The Sabbath is itself holy: Say then: "Who sanctified the Sabbath, Israel, and the festivals." Said R. Jose: The Halakha prevails according to Rabbi as interpreted by Rabina.

The rabbis taught: On a Sabbath following on the first day of the month, or any day of the intermitting days, one shall pronounce in the three prayers of evening, morning, and Min'ha seven benedictions; and concerning the festival he shall include the prayer about the return of the Temple-service, and if he has omitted it he must begin all again. But in the Additional Prayer he shall begin and close with the benediction of Sabbath, and the holiness of the day shall be included.

Rabban Simeon b. Gamaliel and R. Ishmael the son of R. Johanan b. Broka say that whenever there are seven benedictions, he shall begin and close with Sabbath, and the benediction of the day shall be included. Said R. Huna: The Halakha does not prevail in accordance with last pair.

R. Hyya bar Ashi in the name of Rabh said: One may lay an Erub of legal limit on the first day of a festival (in exile, where two days are kept) with a condition, if the right day of the festival is to-day, then the Erub is null and void, because one can go to-morrow without any Erub at all; and if the right day of the festival is the next day, this Erub shall be for that day. Said Rabha: The same is the case with the Erub for cookery.

The rabbis taught: It shall not be baked from one festival day for another. It was truly said that a woman may fill a whole pot with meat though she do not need more than one piece (for that day). The same is the case with a baker, who may fill a whole barrel with water, though he need only one can (for the day); but it is not allowed to bake except as much as is needed for the day. R. Simeon b. Elazar, however, said, that a woman (not a baker) may fill a whole oven with bread, because it is better baked when the whole oven is full. Said Rabha: The Halakha prevails according to the latter.

The schoolmen propound a question: If one has not made an Erub Tabshilin, is he only prohibited to do anything for Sabbath, but not his flour? Or is his flour also forbidden? What is the difference? To transfer his flour to others, if you say the flour is not prohibited, then another one can take his flour and prepare for him; but if you say his flour is prohibited, then he must transfer it. Come and hear: One who has not made an Erub Tabshilin must not bake nor cook nor save either for himself or for others, nor may others do it for him; but what shall he do (to eat something on Sabbath)? He shall transfer his flour to others, and then they may bake and cook for him. From this we infer that both he and his flour are prohibited.

The schoolmen propounded a question: How is it if one has transgressed and baked without an Erub? Come and hear: If one has not made an Erub Tabshilin, etc. (as mentioned above). Now, if it would be allowed to eat, why does not the Boraitha state that if one has transgressed and has baked, it is allowed to eat? Said R. Adda b. Mathna: From this nothing can be inferred. The Tana advises only how to dispose for a man, he shall be able to prepare something in accordance with the Law; but when one has acted against the Law, this Tana does not speak of it at all. Come and hear another Boraitha: If one has made an Erub Tabshilin, he may bake, cook, and save, and if he wants the Erub, it is allowed; but if he has eaten the Erub before he has baked or saved, then he is not allowed to bake, cook, or save either for himself or for others, neither are others allowed to do so for him. He may, however, cook for the festival and use what is left on the Sabbath, provided he does not do it cunningly (*i.e.*, he shall not add so much that he shall have sufficient for the whole Sabbath), and when he does it cunningly he must not use it for the Sabbath. (Hence we see, that if he acted against the Law, it is prohibited.) Said R. Ashi: The case of cunning is different, because the rabbis were very rigorous with such. R. Na'hman b. Itz'hak said: The Boraitha which said that cunning is prohibited is not at all in accordance with the decision of the rabbis, but of an individual, Hananiah, who taught it in accordance with the decision of Beth Shammai, as it is to be understood from the following: Hananiah said: Beth Shammai declare: One shall not bake unless he has made an Erub with bread; one shall not cook unless he has made it with something cooked; and one shall not save, unless he has already saved warm water for the Sabbath. Beth Hillel, however,

said: One may make an Erub with something cooked, and through it he may prepare everything.

"*Beth Shammai say two dishes,*" etc. Our Mishna is not in accordance with the Tana of the following Boraitha: R. Simeon b. Elazar said: Both schools agree that two dishes are needed. In what they differ is about a fish and egg which is upon it. According to Beth Shammai it is considered as two dishes, but according to the school of Hillel it is considered only as one dish. Both agree, however, that if one put in a cooked egg in the fish or χεφαλιδος in the cooked fish, it is considered as two dishes. Said Rabha: The Halakha prevails as our Tana and according to Beth Hillel.

"*If it has been eaten or lost,*" etc. Said Abayi: We have a tradition that he who has begun to knead dough and heard meanwhile that the Erub was lost, may finish his work nevertheless.

MISHNA: When the festival falls after a Sabbath, Beth Shammai say: Everything requiring purification must be immersed before the Sabbath. But Beth Hillel say: Vessels must be immersed before the Sabbath, and human beings on the Sabbath. Both schools agree that water which has become polluted may be purified by pouring it into an earthenware vessel, but not on earth itself. It is lawful, however, to dip vessels whose original appropriation has been altered, and men may bathe when they have changed from one company to another (to eat the Paschal lamb).*

GEMARA: We see from this Mishna that, according to all, a vessel must not be dipped on Sabbath. Why so? Said R. Bibbi: It is a precautionary measure, lest one leave the vessels unclean on the week-days for purification on Sabbath. We have learned in a Boraitha in support to R. Bibbi: A vessel which has become unclean on the eve of the festival must not be dipped on the festival; and this is a precautionary measure, as the one above mentioned. Rabha, however, said: The reason why one must not immerse on Sabbath is that it would seem as if one repaired the vessel. If it is so, why may a man bathe on Sabbath (and a man cannot eat Terumah, etc., when he has not bathed). A man is different, as it can be said that he is doing so to cool himself. That would be right, if he bathed in pure water; but if he immerses himself in turbid water? Said R. Na'hman bar Itz'hak: It happens that a man becomes heated, and then

* See Tract Pesachim, Chap. IX., Mishna 1.

he bathes even in water in which flax has been steeped, to cool himself. This would be right in summer-time, but what can be said if he does it in winter-time? Said R. Na'hman bar Itz'hak: It may happen a man becomes dirty and soiled, and then considers not the quality of the water. All this is right on a Sabbath, but what would be the law on a Day of Atonement? Said Rabha: Do you find something allowed to be done on Sabbath that is not allowed on the Day of Atonement? (Therefore, *because* it is permitted on Sabbath, it is permitted also on the Day of Atonement.)

"*But not on earth itself.*" What is meant by this? Said Samuel: He may bring it in contact with water of a legal bath, but not in an unclean vessel.

According to whom is our Mishna? As it is not according to Rabbi, nor according to the sages of the following Boraitha: One must not immerse the vessel with the water therein to purify it, nor bring it in contact with water in a stone vessel to purify the water therein: so is the decree of Rabbi. The sages, however, permitted both. (Hence according to whom is the Mishna?) We may say that it is according to the sages' opinion, and the Mishna refers not to purification on a week-day but on Sabbath.

"*Whose original appropriation has been altered,*" etc. The rabbis taught: If one wishes to immerse his vessels for the purpose of filling them with the oil of newly crushed olives, and afterwards changes his mind and resolves to crush the olives *in* them, or *vice versa*, he may do so. If one was engaged to eat the Paschal lamb with one company, and thereafter he changed his mind to eat with another company, he might do so.

MISHNA: One may bring peace-offerings on the festival, but not lay his hands on them; * and burnt-offerings may not be brought at all—according to Beth Shammai. Beth Hillel, however, allow all this.

GEMARA: Said Ula: The point on which both schools differ is the laying of the hands on the peace-offerings of the feast and whether burnt-offerings of the pilgrimage may be sacrificed at all. Beth Shammai hold: It is written [Ex. xii. 14]: "Ye shall celebrate *it* as a feast unto *the Lord*"; *it, i.e.*, the peace-offering, but not the burnt-offering. But Beth Hillel say: "unto the Lord": that signifies, all that is unto the

* See Lev. i. 4.

Lord is allowed. But vows and voluntary offerings, all agree, are not. Such also is the opinion of R. Adda bar A'hba. An objection was raised: We have learned elsewhere (in addition to this Mishna): R. Simeon b. Elazar said: Both schools do not differ concerning a burnt-offering which does not belong to the festival, that it must not be offered, and also that peace-offerings which belong to the festival may be offered. In what they differ is, when the burnt-offering *belongs* to this festival and concerning the peace-offerings which *do not* belong to this festival. According to Beth Shammai they must not be offered, and according to Beth Hillel they may. (Hence we see that according to both, vow and voluntary offerings are to be offered on the festival?) Answer this objection that the saying of R. Simeon b. Elazar must read thus: He said, Both schools do not differ when the burnt and peace-offerings do not belong to this festival, that they must not be offered, and the peace-offering which belongs to this festival, that it may; they differ only about a burnt-offering which belongs to this festival, that according to Beth Shammai it must not, and according to Beth Hillel it may. Said R. Joseph: Is it necessary to make out the Boraitha as erroneous because of the saying of Ula? Are there not other Tanaim who differ on this point, and Ula's saying can be according to them? As we have found in the following Boraitha: Peace-offerings which belong to this festival, when they are to be offered on it, Beth Shammai said: He may lay his hands upon it on the eve of the festival, and it shall be slaughtered on the festival; Beth Hillel, however, said: Both may be done on the festival; but vow and voluntary offerings must not be offered on the festival.

And the Tanaim of the following Boraitha differ on the same point: One must not bring thanksgiving-offerings on all days of Passover, because they contain unleavened bread; nor on Pentecost, because it is a festival; but he may bring them on the Feast of Tabernacles (on the intermitting days). R. Simeon, however, said: It is written [Deut. xvi. 16]: "On Passover, on Pentecost, and on the Feast of Booths." From this we may infer that all that may be brought on Passover and Pentecost, may be brought also during the Feast of Tabernacles; but what must not be brought on the first two, one may not on the third. R. Eliezer b. R. Simeon, however, said: One may bring thanksgiving-offerings during the Feast of Tabernacles, and by this will be fulfilled the duty of enjoying the holiday, but not the duty of bringing a feast-offering. Is not

this self-evident? Are not the feast-offerings a duty, and it is certain that a duty must be brought of a profane (ordinary) quality? He means to teach us, that even if one has explicitly said that he intends the thanksgiving-offering also for a feast-offering, nevertheless the duty of the feast-offering is not fulfilled. As R. Simeon b. Lakish asked of R. Johanan: If one say, "I will bring a thanksgiving-offering, and with this I will fulfil the duty of a feast-offering"; or, "I will be a Nazarite, but when I shall bring the offering after shaving,* I will take it from the second tithe money," what is the law? And R. Johanan answered him: He must bring a thanksgiving-offering, but the duty of the feast-offering is not fulfilled; he is a Nazarite, but cannot bring the shaving-offering from the second tithe money.

It once happened a man said: Give four hundred Zuz to a certain man, and he shall marry my daughter. Said R. Papa: The four hundred Zuz must be given to him, and the daughter, if he likes her, he can marry, but not otherwise. The reason is, because he has said first, "give him the money"; [but if he had mentioned the daughter first he would get the money only if he married]. If he had said: He shall marry and take the money, then he must marry her first. Meremar was sitting and declaring the Halakha in his own name. Said Rabbina to him: You teach this as if it were a Boraitha; we, however, learn it as the question of Resh Lakish from R. Johanan, mentioned above, and the decision is R. Johanan's.

The rabbis taught: It happened to Hillel the Elder that he brought his burnt-offering to the Temple-court for laying hands on it on the festival. The disciples of Shammai the Elder, however, surrounded him, and asked him: What is the matter with this animal? And he answered: It is a female, and I have brought it for a peace-offering. And he shook the animal's tail, and they went away. And on that day the school of Shammai took the upper hand over Beth Hillel, and the people wanted to decide the Halakha according to them; but one old man was there among the disciples of Shammai the Elder, Baba ben Butta by name, who was certain that the Halakha prevailed according to Beth Hillel. And he sent and brought of the best sheep of Jerusalem, and placed them in the Temple-court, and said: Everybody who wants to lay his hands upon them shall come and do so. And on that day Beth Hillel took the upper hand,

* See Num. vi. 9.

and the Halakha was decided according to them, and no objection was made by anybody.

Again, it happened once that a disciple of Beth Hillel brought his burnt-offering into the Temple-court for the purpose of laying his hands upon it, and a disciple of the school of Shammai met him and said: Why the handling? And he replied: Why are you not silent? So he silenced him with a rebuke, so that he went away. Said Abayi: From this we may infer that if a young scholar says to another a few words, the answer shall not be more lengthy than the remark which was addressed, as we have seen in the case of the two disciples, when he asked him: "Why the laying of the hands?" he answered him: "Why not be silent?"

We have learned in a Boraitha: The disciples of Hillel said to the disciples of Shammai: (Is not this an *a fortiori?*) If on Sabbath, when all things to be done for a human being are prohibited, nevertheless in honor of the Lord all is permitted; on a festival, when all things necessary for a human being may be done, so much the more everything may be done for the Lord (*i.e.*, and why, then, shall a burnt-offering of the pilgrimage not be sacrificed?). And they answered: You can infer this from voluntary and vow offerings, that are permissible for a human being, and nevertheless even you own that they must not be sacrificed on a festival. Said Beth Hillel again: There is no comparison here because voluntary and vow offerings have no appointed times. The burnt-offerings, however, have stated times. Rejoined Beth Shammai: Nay, even these have no appointed time, as we have learned in a Mishna: One who has not brought his feast-offering on the first day of a festival may do it during the whole festival and even on its last day. Rejoined Beth Hillel again: Is this not a fixed time? As we have learned in another Mishna, if one has not brought a feast-offering during the whole festival, he is no longer responsible to do it (consequently there is a stated time for it, and if we will prohibit him from bringing it on the first day of the festival, he may not bring it any more at all). Said Beth Shammai again: Has it not been said in the verse, "an assembly shall be unto you," which may signify for your sake and not for the Lord's sake? And they answered: Does not another verse say: "An assembly shall be unto the Lord"? Whence we may infer that all which is in honor of the Lord shall be done. And from the expression "unto you" we may infer "for your sake but not for the sake of strangers."

R. Iviah the Elder asked R. Huna: An animal which is half a Gentile's and half an Israelite's, how is the law of slaughtering it on a festival? And he answered: One may do it. And he asked him again: What is the difference between this and voluntary vow-offerings? And he replied: A raven flew away. When R. Iviah was gone, said Rabba, R. Huna's son, to his father: Was this not R. Iviah the Elder, whom you praised to me as a great man? And he answered: What could I have done with him? I am to-day weak, I have lectured, and need what is written in Song of Songs, ii. 5, to "strengthen me with flagons of wine, refresh me with apples"; and he asked me a thing of which the reason must be explained (at length). [And in reality, what is the reason? This: An animal which is half a Gentile's and half an Israelite's may be slaughtered on a festival, because if one wants to eat meat even the size of an olive, he cannot take it from the animal when it is still alive, but it must be slaughtered; and as this animal belonged half to an Israelite, he can certainly slaughter it. But vow and voluntary offerings, they are considered all for Heaven, and although the priests eat some of their meat, this is only because of their reward from Heaven, and not from the one who brings the offerings.]

Dough, however, which is half an Israelite's and half a Gentile's, is not to be baked on the festival, because it can be divided when it is yet dough. R. Hana bar Hanilai objects: We have learned of dough made for dogs, if the shepherd can eat of it, one is liable to take of it first dough, and may make an Erub with it, and may use it for the combining of the entrance; and the benediction of eating may be said over it, and if three or more men had eaten of it, they may pronounce the benediction of the meal, and it may be baked on the festival, and the man who eats it (when it is not leavened) on the first evening of Passover has done his duty of eating Matzah. Now, if it is possible to divide it when it is dough, why should it be baked on a festival (let him set apart the portion for the dogs, and bake for himself)? The dough for the dogs is different; because one can give a carcass to the dogs, instead of the dough. But does R. Hisda hold the supposition of *because?* Was it not taught (Vol. V., p. 74) that R. Hisda is against this supposition? Say, the case is when the shepherd has a carcass and intends to do so.

R. Huna was asked: May the inhabitants of Baga, who had the duty to give bread to the military, bake it on the festi-

val? And he answered: Let us see. If the soldiers are not particular when one takes a piece of the bread and gives it to a child, then of every loaf we can say: "This is fit for a child," and it may be baked. But if they are particular, it may not be so done. But have we not learned in a Boraitha as follows: It once happened to Simeon of Teman that he did not visit the house of learning on a festival day. On the morrow Jehudah b. Baba asked him: Why wast thou not yesterday in the house of learning? And he answered: Military were coming yesterday into the city, and wanted to rob the whole city; and we slaughtered for them calves, and made them eat, and they went away in peace. Rejoined R. Jehudah b. Baba: I wonder whether your loss was not greater than your benefit, for the Torah teaches "unto you," but not unto Gentiles. (They should not have done work for the soldiers.) Now, why? Were not the calves fit for Israelites also? Said R. Joseph: The calves were Terepha.*

But was it not fit for dogs when the owners are obliged to feed them? The Tanaim of the following Boraitha differ about this law: It is written [Ex. xii. 16]: "Save what is eaten by every soul, that only may be prepared for you." From the expression "every soul," we may infer, even a soul of an animal, as we find [in Leviticus xxiv.], "he that taketh the soul of an animal shall pay for it." Therefore the verse says plainly, "for you," and not for dogs. So said R. Jose the Galilean. R. Aqiba, however, said: For all souls, even souls of animals, are included. But for what purpose is it written "*for you*"? To indicate only animals for whose support you are responsible, but not for strangers, for whose support you are not responsible. Rabha accompanied Mar Samuel to the pulpit and the latter lectured: One may invite a Gentile on Sabbath, but not on a festival day, because on a festival day he may increase the Israelite's work in his behalf. When a Gentile guest came to Maremar or to Mar Zutra on a festival day, they said to him: If you are satisfied with what we have already done for ourselves, then you are welcome; and if not, you must excuse us, because we must not do any work for you.

MISHNA: It is prohibited to boil water on the festival for the purpose of washing the feet, unless the water is also fit to drink, according to Beth Shammai. But Beth Hillel allow it.

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* Legally prohibited to be eaten by Israelites, as will be explained in Tract Hulin.

(All agree, however,) that a fire is to be made for the sole purpose of warming himself by it.

In three things Rabban Gamaliel decides like the school of Shammai more rigorously, namely: They prohibit to commence to preserve the heat of pots for Sabbath on its eve, when it happens to be a festival; to put together the pieces of a candelabrum; and to bake large loaves, but only thin cakes. Rabban Gamaliel said: They never used to bake in my father's house large loaves on the festival, but only thin cakes. The sages, however, said to him: What does this usage of your father's family prove, who though strict in this respect nevertheless allowed all Israel to bake on the festival large loaves and thick cakes?

GEMARA: How is the case? If an Erub Tabshilin was made, why do Beth Shammai prohibit it? And if none was made, why do Beth Hillel permit it? Said R. Huna: It may be explained, when the case is that an Erub Tabshilin was not made, but nevertheless what is necessary for one's life, the sages permit. And this is according to his theory elsewhere, where he said: If one has not made an Erub Tabshilin, one loaf and one pot may be baked, and cooked for him, and also light may be kindled for him. In the name of R. Itz'hak it was said: They may roast for him also a small fish. The same we have learned in a Boraitha, with the addition that one pitcher of water may be heated for him. Rabha, however, said: The Mishna can be explained also thus: that an Erub Tabshilin *was* made, and nevertheless Beth Shammai prohibit it, because the preserving of the heat everybody can see is done only for Sabbath.

"*To put together pieces of a candelabrum.*" What labor is in it? Said R. Hin'na bar Bisna: This refers to a candelabrum whose parts have to be screwed together, and is regarded like an act of building (construction) (see Tract Sabbath, p. 266).

It happened once that Ula came to R. Jehudah; his servant inclined the lamp so that the wick should sooner be extinguished (by the oil being out of its reach). R. Jehudah objected: Did we not learn that whoso puts oil into the lamp is culpable of kindling fire? and whoso removes the oil therefrom is culpable of extinguishing? Answered Ula: The servant did it without my knowledge.

Rabh said: To snuff a lamp on a festival is permitted. Abayi asked Rabba: How is the law to extinguish a conflagration on a festival? When there is danger of loss of life

I do not ask, for it is allowed even on a Sabboth; what I ask is, when there is a pecuniary loss only? He answered: It is not permitted. Abayi objected to him: Did we not learn: A chip of wood must not be extinguished in order to save it. However, for preventing the house or the pot from being filled with smoke, it is permitted? He rejoined: This is in accordance with R. Jehudah, but my decision is in accordance with the majority of the rabbis.

R. Ashi asked Amemar: How is the law to paint the eyes (for a medical purpose) on a festival? When there is danger, *e.g.*, when they prick, or are bloodshot, or drip, or drop tears continually, or are in fever at the first stages, it is not doubtful to me, as this is allowed even on a Sabbath. Where I am uncertain is, when they are almost cured, and the painting is done only for improving the sight? He decided that it is not allowed. R. Ashi objected to him with the same Boraitha which Abayi objected to Rabba as stated above, and Amemar's answer was the same.

Amemar himself, however, used to dye his eyes through a Gentile on the Sabbath. Said R. Ashi to him: What is your opinion in doing it? Because Ula the son of R. Ilai said: All that is necessary for a sick man may be done through a Gentile on Sabbath. And also R. Hamnuna said: All things which are not dangerous, it may be said to a Gentile that he should do them. But when is this the case? When the Gentile does it himself without assistance from the Israelite. But you, Master, assist him in his dyeing by your opening and closing the eyes. And he answered: There is R. Zbid, who has also asked the same question, and I answered him that assistance is not considered a labor at all. The same Amemar allowed that one should dye his eyes on the second day of New Year. Said R. Ashi to him: Did not Rabha say that in the two days of New Year the case is different with an egg (see above, p. 8)? And he answered: My opinion is as that of the sages of Nehardai, who say there is no difference.

"*To bake large loaves,*" etc. The rabbis taught: The school of Shammai said: Thick loaves must not be baked on the Passover. Beth Hillel permit it. What are called thick loaves? Said R. Huna: If it is a span in thickness, for the showbread was thus. R. Joseph opposed: What comparison is this? There it is related of the specialists, who knew their work and were careful; there a great deal of labor was necessary (as stated in Menahoth,

that the flour of the showbread required three hundred oscillations and five hundred beatings of the fist); there it was baked with dry wood (as stated in Taanith, that on the fifteenth of Ab they had ceased to cut wood for the Temple); there was a hot oven which was constantly fired, and it was of iron. Should it be compared to common people, to common bread, to wet wood, and a brick oven which may not be heated as required?

Said R. Jeremiah bar Abha in the name of Rabh: I have asked especially our Master, our holy rabbi, what is meant by thick loaves? And he said: A great quantity; *i.e.*, not the loaves are thick, but the quantity of the dough is great. But why does he call them thick loaves? Because it is thick when kneaded. If so, why is it prohibited only on Passover, why not on other festivals also? It means also other festivals, but the Tana was teaching them the laws of Passover, and therefore mentioned that festival. Another Boraitha says plainly: Much bread shall not be baked on a festival, according to Beth Shammai; but Beth Hillel allow it.

MISHNA: He (Rabban Gamaliel) decided the law leniently in respect to the following three things: He allowed to sweep on the festival between the couches (or sofas on which the ancients used to eat), to put spices on live coals (after meals), and to prepare a complete roasted kid on the nights of Passover (as a memorial to the Paschal lamb). But the sages prohibit all these.

GEMARA: Said R. Assi: They differ only about the enjoyment of the odor of the spices, when they are already there; but to put the spices on the live coals, all prohibit. The schoolmen propounded a question: How is the law to put fruit in the smoke of spices to flavor them on the festival (as the custom was to do)? R. Jeremiah bar Abha in the name of Rabh said: It is prohibited, but Samuel permitted it. R. Huna said: It is prohibited, because one extinguishes the live coals. Said to him R. Na'hman: Let the Master say, because one kindles the spices? And he answered: In the beginning, when he pours out the spices on the coals, he extinguishes the coals, and afterwards they kindle. R. Jehudah, however, said: That is prohibited only on live coals, but in a heated oven it is permitted. Rabba, however, said: This is also prohibited, because he produces a new odor in the oven. [Rabba and R. Joseph both said: It is unlawful to cover a silk garment with a goblet of spices on a festival in order to impart an odor to it. Why so? Because the garment produces a new odor. But why is this different from grinding

or cutting spices for smelling, which is allowed? There the odor is in it when grinding or cutting them, the odor is only increased, but here he produces a new odor altogether.]

Rabha, however, said: Even on live coals it is also permitted, because is it not allowed to put meat on live coals for eating on a festival? R. Gbiha of Be-Kthil at the door of the exilarch lectured: Fuming is allowed. Said Amemar to him: What is meant by fuming? Does it mean to perfume the sleeves of a woman's dress? This must be done by a specialist, and this is certainly prohibited. And if it means to fume to produce good odors, the producing of a new odor is not permitted also? Said R. Ashi: *I* have declared this law to him and in the name of a great man, that it may be even to produce a new odor, and it is nevertheless permissible, because it is equal to meat on live coals, which is permitted.

MISHNA: Rabbi Elazar ben Azariah permitted three things which the other sages prohibit: His cow was going out on a Sabbath with a strap attached to her horns; he permitted also to curry cattle on the festival, and to grind pepper in a pepper-mill. R. Jehudah says: It is not permitted with an iron currycomb, because a wound may be inflicted; but with a wooden comb it is. The sages, however, prohibit both.

GEMARA: Did R. Elazar ben Azariah possess but one cow? Did not Rabh, or according to others R. Jehudah in the name of Rabh, say that thirteen thousand calves used R. Elazar ben Azariah to give as tithes from his cattle yearly? We have learned in a Boraitha that the cow mentioned in our Mishna was not his, but his neighbor's, and because he did not protest, it was considered as if it was his own.

"*He also permitted to curry cattle*," etc. The rabbis taught: What is called קרוד? An iron comb with small teeth, which produces a wound. What is called קרצוף? A wooden comb with large teeth, which produces no wound. And three Tanaim differ about this law. R. Jehudah holds that if a thing was done even unintentionally, it is prohibited; but we do not take a precautionary measure to a wooden comb, lest one do it with one iron one. The sages are of the same opinion as R. Jehudah, but they say that such a precautionary measure may be taken. R. Elazar b. Azariah, however, holds with R. Simeon, who said that a thing done unintentionally is not prohibited at all, and therefore he permits both. Said R. Na'hman: The Halakha prevails according to R. Simeon, because R. Elazar ben Azariah

agrees with him. Said Rabha to R. Na'hman: Why does not the Master say that the Halakha prevails according to R. Jehudah because the sages agree with him? And he answered: I hold with R. Simeon, and confirm my opinion because R. Elazar ben Azariah agrees with him.

MISHNA: A pepper hand-mill is subject to defilement in all the three separate vessels whereof it is composed: the upper, because it is of metal; the middle one, because it is a kind of a sieve (which allows only the finely ground particles to pass through); and the lower one, because it is a vessel of capacity (where the ground pepper is collected).

A child's cart is subject to defilement through pressure (as will be explained in Tract Taharoth), and may be moved on Sabbath from one place to another, provided it is dragged over cloths or carpets. R. Jehudah said: It is not allowed to drag any piece of furniture except such a cart, because it makes but a slight impression on the ground (and does not remove the soil so as to make a furrow).

GEMARA: The cart is subject to defilement through pressure, because the child is in the habit of sitting on it. It may be handled on Sabbath, because it is a vessel; and may be dragged only on pieces of cloth, but not over the ground itself, because it would make a furrow, and the whole Mishna is in accordance with R. Jehudah, who holds that a thing which is made unintentionally, is also prohibited; but according to R. Simeon, who holds that it is not, it may be dragged on the ground also, no matter if it makes a furrow.

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APPENDIX TO PAGE 42.

R. Zutra bar Tubiah said in the name of Rabh: If an eye has rebelled (bulges out), it may be painted even on Sabbath. The hearers thought, that is if the paint was already prepared; but to prepare and bring it through public ground on the Sabbath, it may not. Said one of the scholars, whose name was Jacob, to them: It was explained to me by R. Jehudah that even all this may be done. R. Jehudah permitted to paint an eye on Sabbath. Said R. Samuel bar Jehudah: Who will follow Jehudah, who permits to violate the Sabbath? Finally himself had sore eyes, and he sent to R. Jehudah to inquire whether it was permitted (to paint the eyes) or not, and the answer was: It is permitted to all, but not to you (because you have rejected my decision). And in reality, was it then my decision? It was Mar Samuel's. When his servant had fever in her eyes on a Sabbath, she cried, but none attended her (because of Sabbath). Finally the eye burst. On the morrow Mar Samuel lectured in public that if an eye has bulged out it may be painted on Sabbath, because the veins of the eye are connected with the cells of the heart.

R. Joshua b. Levi said: Unkli may be cured on Sabbath. What is "Unkli"? Said R. Abba: *Asthma.*—From Abodah Zarah, pp. 28*a*–29*b*.

## CHAPTER III.

### REGULATIONS CONCERNING FISHING AND HUNTING ON FESTIVALS.

MISHNA: It is not allowed to catch fish from aquaria on festivals, nor to give them food; but one may hunt beasts or birds in parks, and feed them. Rabban Simeon b. Gamaliel says: Not all aquaria and parks are regarded in the same light. This is the general rule. In case the animals have to be hunted it is prohibited; but when no hunting is required, it is not.

GEMARA: There is a contradiction. We have learned in a Tosephta that in parks beasts and fowls must not be caught on the festival, and must not be fed. The contradiction between the Tosephta and Mishna concerning the beasts could be explained that the Tosephta is in accordance with R. Jehudah, who prohibits this (Sabbath, p. 216); but the contradiction about fowls, how can it be explained? And if it be said, that here also there is no difficulty, because the Tosephta meant an unroofed park, while the Mishna spoke of a roofed park, did not the Mishna in Tract Sabbath state that according to all a fowl must not be caught in a house, and a house is certainly meant a roofed one? Said Rabha bar R. Huna: The Tosephta meant a bird called Durur in Arabic, which it is very difficult to catch, and which never becomes domesticated. As the disciples of R. Ishmael taught: Why is this fowl named Durur? Because to it the house and the field are the same. Now, when we know this, the contradiction about beasts can also be explained, that the Mishna speaks of a small park, and the Tosephta of a great one, where it is difficult to catch. What is called a small park, or a great park? Said R. Ashi: If the shadows of the two walls on the ground touch, then it is small, but otherwise it is great.

"*R. Simeon b. Gamaliel says*," etc. Said R. Joseph in the name of R. Jehudah quoting Samuel: The Halakha prevails according to R. Simeon b. Gamaliel. Said Abayi to him: Is there any one that differs from him, that it is necessary for you to declare that the Halakha prevails according to R. Simeon b.

Gamaliel? Said the former: And what difference is it to you? Rejoined Abayi: Shall the Gemara be like a song, to learn it without knowing any reason for each decision?

"*This is the general rule*," etc. What is meant by "have to be hunted"? The same authority says in the name of the same authority: If one must say, bring a net to catch it. Said Abayi to R. Joseph: Of geese and chickens it is usually said, bring a net, we will catch them. Nevertheless we have learned in a Boraitha that whoso catches geese and chickens is not culpable? Said Rabba bar R. Huna in the name of Samuel: The latter come to their places in the evening, and the owner is responsible for their feeding (therefore whoso catches them is not culpable), but animals of a park do not do so, and the owner is not obliged to feed them.

MISHNA: If nets have been spread for fish or wild game on the eve of a festival, it is not allowed to take from them, on the festival, unless it is known that they have been caught before its commencement. It once happened that a Gentile brought on the festival a present of fish to Rabban Gamaliel, when he said: It is allowed to use them, but I do not wish to accept presents from that man.

GEMARA: Is the deed of R. Gamaliel not in contradiction with the teaching of the Mishna? The Mishna is not completed. It must be read thus: If it is doubtful whether a thing was prepared from the day before, it is prohibited; but R. Gamaliel permits it; and it once happened also that a Gentile brought fish on a festival, in the morning, as a present to R. Gamaliel, and he said: They are permitted, etc. R. Jehudah in the name of Samuel said: The Halakha does not prevail according to R. Gamaliel. According to others, R. Jehudah declared his decision about the following Boraitha: Beasts from parks may be slaughtered, but not from nets (because it is not known on what day they were found there, on the festival or before it). R. Simeon b. Elazar said: If one found the nets disturbed on the eve of a festival, it is certain that they had been caught before the festival, and they are permitted; but if he came on the festival, and saw them disturbed, it is certain they were caught during the festival, and they are not allowed. Is this saying not contradictory in itself? It says: If he found it disturbed on the eve of a festival, it is certain that they were caught before the festival, and they are allowed, from which it is to be understood, that if it was doubtful, it is not allowed; and in the latter part it says:

If he found it disturbed on the festival, etc., it is certain that they were caught during the festival, and they are not allowed, from which it is to be inferred that when there is a doubt it is permissible? It means to say thus: If he found it disturbed on the eve, it is certain that they were already caught, and are permissible; but if it was doubtful, it is to be considered that they were caught on the festival, and are not permissible. Said R. Jehudah in the name of Samuel: The Halakha prevails according to R. Simeon b. Elazar.

"*When he said, it is allowed*," etc. Allowed what? Rabh said: They are permitted to be received, but Levi said, they are permitted to be eaten.

Said Rabh: A man should never absent himself from the house of learning, even for one hour, because I and Levi both were in the college when Rabbi declared this Halakha. In the evening he said: They are permitted to be eaten; but in the morning he said: They are permitted to be received. I, who was in the college in the morning and heard his second decision, gave up the first; but Levi, who was not, did not.

R. Papa said: The Halakha is as follows: If a Gentile brought a present to an Israelite on a festival, if the same kind of productions are found yet on the trees or ground, it is prohibited; and even in the evening, one must wait till the time when such a thing may be gathered and brought. But if that kind of production is no longer found on trees or on the field, then, if the present has been carried from within the legal limit, it may be accepted, but if from beyond the legal limit it may not. And if it has been brought for one Israelite, another may use it.

Rabba bar R. Huna said in the name of Rabh: When one has choked a pond, on the eve of a festival, and on the morrow he found there fish, they are permitted. Said R. Hisda: From the teaching of our Master we can infer that a beast which was overnight in the garden need not have been prepared on the preceding day (may be used). Said R. Na'hman: My colleague has attempted to decide the quarrel of great men. In the case of the fish, the man does nothing; but in this case, he must catch it. But how could R. Hisda decide that it has not to be prepared, did we not learn in a Boraitha, that a beast that was overnight in a garden must have been prepared, and a bird must have had its wings bound that it should not be exchanged for another? And this law is one of those which it has been testified, that they were said by Shemaia and Abtalian? This objection remains.

MISHNA: It is not allowed to kill on a festival an animal suffering from a mortal disease, unless there is time to eat thereof, on that day, at least the size of an olive, roasted. Rabbi Aqiba allows it, if there be only time to eat thereof the size of an olive, raw, even in the very place where it is slaughtered. If it has been killed in the field, the entire carcass may not be carried home on poles or sticks, but only piecemeal, by hand.

GEMARA: Said Rami bar Abba: The taking off the skin, and the cutting of a burnt-offering (which could be burnt without this) is only to teach the latter generations, that one shall not eat meat of a slaughtered animal before the skin is taken off, and was not cut in the usual pieces. Is this also a necessary teaching? Yea, as we have learned in a Boraitha, a man shall not commence eating garlic or onions from the roots, but from the leaves; otherwise his taste is coarse. Likewise, a man should not empty his goblet at a draught, otherwise he resembles a drunkard.*

A Boraitha states in the name of R. Meir: Why was the Law given to Israel? Because they are bold (difficult to be vanquished). The disciples of R. Ishmael taught: It is written [Deut. xxxiii. 2]: "From his right hand he gave a fiery law unto them." The Holy One, blessed be He, said: The Israelites are so bold that a fiery law must be given to them. According to others, the law of this people is like fire, because if such a law had not been given to them, no nation and tongue could stand before them. And this is as R. Simeon b. Lakish said: The boldest nation of all nations is Israel.†

"*The entire carcass may not be brought on poles.*" The rabbis taught: A blind man should not walk with his stick on a festival, nor a shepherd with his bag (pouch); also, a man must not be carried in a chair. It matters not whether it is a man or a woman. This is not so? Did not R. Jacob bar Iddi send a message that an old man was in his neighborhood and he was carried in a litter (*Lectica*), and they went to R. Joshuah b. Levi and asked him whether it was lawful, and his answer was, that if he was needed by many people, he could do so. And our Masters use as a support to this opinion words of Ahi Shakia, who said: I have carried R. Huna in a chair on the festival from Hini to Shilli, and back. And R. Na'hman bar Itz'hak told: I have carried Mar Samuel

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* See Tract Pesachim, p. 171.

† This is explained in our periodical "Hakol," also in our "Lebaker Mishpat," and we will touch upon it in our present translation.

from the shadow into sunshine, and back. The reason is stated, because if many people needed him it was allowed.

Says R. Na'hman to Hama bar Adda, the messenger of Zion: When you go to Palestine, turn down from your road and ascend the "Ladder of Tzur" and visit R. Jacob bar Iddi and ask him: How is their custom with a litter? When he arrived there, R. Jacob bar Iddi was dead, and he found R. Zrika, and asked him: How is your custom in regard to litters? And he answered: So said R. Ammi: One may be carried in them, provided he shall not put his hands on the shoulders of the bearers. What is meant by this? Said R. Joseph the son of Rabha: He shall not be carried in a palanquin (a kind of litter which required that he who is carried should hold by the shoulders of the bearers). Is that so? Did not R. Na'hman allow his wife Yalta to be carried in a palanquin? The case with Yalta was different; she was timid.

Amemar and Mar Zutra were carried on the Sabbath before the festivals on a palanquin, because there was a great crowd and it was feared they would be injured. According to others: Because it was so crowded by the people who came to hear, that they could not pass through.

MISHNA: If a first-born animal fall into a pit on the festival (and it is not known whether it was injured), R. Jehudah says: An expert may descend and see whether it had already an incurable and permanent blemish, in which case it may be drawn up and killed, but not otherwise. R. Simeon, however, said: If a blemish in a first-born animal was not recognized on the eve of the festival, this is not considered prepared, and must not be killed on the holiday.

GEMARA: On what point do they differ? Shall we assume that the point is, if it is allowed to examine blemishes on the festival, that according to R. Jehudah it is allowed, and according to R. Simeon it is not, then let him say so plainly. Why do they differ here when it fell in a pit? This case was necessary, lest one say that, because here is pity for the living thing which falls in the pit, it shall be allowed to be taken out for the purpose of slaughtering it, if it has a blemish, as R. Joshua said further on (Chap. V., p. 75). Therefore it comes to teach us that even in this case there is yet a difference of opinion.

If it is so, then the Mishna should say, he shall *bring* it up and slaughter it? And the difference on this point is only whether it should be slaughtered or not? The case is, when he has already brought it up, lest one say that when it is brought up

it may be slaughtered. Slaughtered! is it not a first-born without a blemish? That means, if it got a blemish. But if it has the blemish now, is it not yet Muktzah? The case is when it has a blemish which has to be examined on the eve of the festival, and now through its fall it has got a permanent blemish, and it can be slaughtered without any examination, lest one say that because a blemish was from yesterday, the owner had it in his mind, and might be slaughtered to-day, the Mishna comes to teach us that it is not so.

The rabbis taught: Of a first-born animal which was without blemish (if it fall into a pit on a festival), R. Jehudah the Nassi said: An expert shall descend and see whether it had a blemish, and then it may be drawn up and slaughtered; and if not, it shall not be slaughtered. Said R. Simeon b. Menasia to him: Did not the sages say that blemishes must not be examined on a festival? How so? If it got a blemish on the preceding day it must not be examined on the festival; but if it got the blemish on the festival, R. Simeon said that it could not be killed, because it was not prepared from the day before. They all agree, however, that if it was born on a festival with a blemish, it is considered as prepared. Rabba bar R. Huna lectured: If the animal was born with a blemish, the examination may be commenced on the festival. Said R. Na'hman to him: Abba,* we have learned if he has transgressed and had already examined, the examination can be useful, and thou sayest that they may *commence* the examination? Said Abayi: It seems to me that Rabba bar Huna is right, because the Boraitha teaches three cases. If it got a blemish on the eve it must not be examined on the festival. From this we may infer that it must not be examined, but that if it has already been examined, it may be used. (The second case is) if the blemish was got on the festival, R. Simeon said that it is not prepared. From this we see that, even if it has been examined and a real blemish found, it must also not be used. (And the third case is) all agree that if it was born with a blemish on a festival, it is considered prepared. Consequently, the examination may be commenced.

(Is that so?) We know that when R. Oshija came from Palestine he brought a Boraitha. Either when he got a blemish on the eve of the festival, or on the festival, according to the

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* Rabba's name was *Abba*, and Rabba means Rab Abba. R. Na'hman as a colleague addresses him by name.

sages it is not to be considered prepared (and the Boraitha must be in accordance with R. Simeon, who says that it must not be examined on the festival; and nevertheless the Boraitha teaches that even if the blemish was from the eve of the festival, it is also not to be considered as prepared, we can say, then, that if it was born with a blemish, it is permissible only when it *was* examined, but it is not allowed to commence the examination, as R. Na'hman said above?) Yea, it can be said so, but the following Boraitha is yet a contradiction to him (why, then, should you prefer the Boraitha which R. Oshiya brought to *the former?*) Because the former Boraitha came from the sources of Adda bar Ukhmi,* who was known to be erratic in the Boraithas which he taught. Said R. Na'hman bar Itz'hak: It seems from our Mishna also that it is in accordance with the Boraitha of R. Oshiya, because it states: R. Simeon said: If the blemish was not recognized on the eve, etc., it is not considered prepared. Now let us see what is meant by "recognized"? Shall we assume that it was not visible at all? This would be self-evident. We must then say that it was not examined whether it was a permanent blemish or a temporary one; nevertheless it states that it is not considered prepared, even when one slaughtered it. (Consequently the latter part of the Mishna, which states that "all agree," etc., "it is prepared," must be explained as R. Na'hman corrected.)

Hillel asked of Rabha: Does the law of Muktzah exist for a half of Sabbath (*i.e.*, whether a thing is fit for one half of Sabbath, but not for the other half)? How can such a case be? If it was fit in twilight, then it was fit for the whole Sabbath; and if it was not fit at twilight, then it was not fit for the whole Sab-

* This name is mentioned only once in the whole Babylonian Talmud. In the Palestinian Talmud, however (Chap. I., Halakha 3) is mentioned R. Adda bar Uikhuma. The different pronunciation of the two Talmuds is usual, and so this Amora is the only one who was erratic. We are surprised why Zacuto and Heilprin, in "Seder-Hadoroth," ascribed this to Adda bar Abhimi, who is also mentioned only once in the whole Talmud. (In our edition, Vol. III., p. 24, and in the old edition the same saying is repeated, 9 *b* and 12 *a*), and there is not to be found even a hint that he was erratic. Also in the Palestinian Talmud the same is mentioned twice (Berakhoth, Chap. I., Halakha 3), with whom two great men of the Amoraim, R. Tanhum and R. Hezekiah, communicated. There it is also said that he was a disciple of R. Zera (Zeera—according to the pronunciation of the Palestinian Talmud). Why, then, should it be ascribed to such a man that he was erratic? Moreover, Heilprin does not mention Adda bar Ukhmi among the Amoraim at all, although he mentions his name in the paragraph of Adda bar Abhimi, and gives also all our citation mentioned above. We also do not know the sources from which Heilprin states that according to others it is Abba bar Abhimi.

bath? He meant to say it was fit at twilight, but afterwards it got wet from rain, and dried again, as it was in the beginning, and not fit during one part of Sabbath, and then fit again. How is it? The answer was: There is no law of Muktzah for a half of Sabbath. Shall we assume that the above Boraitha, which declares that if it was born with a blemish it shall be considered as prepared, is a support to Rabha's decree? Because the first-born, when it was yet in the womb of its mother, was fit along with its mother (because it was not reckoned a firstling before its birth); and as soon as it is born, it is not fit; and after its being examined by an expert and found blemished it becomes again fit (from this we see that the law of Muktzah does not exist for a half of Sabbath, as it was fit before its birth, became unfit at birth, and became fit again after examination).

Nay, said Abayi in the name of R. Saphra: It may be that the case was, the expert was by when it was born, and saw it was fit from its birth.

R. Jehudah the second possessed a firstling, and sent it to R. Ammi on a festival for examination. At first he thought he would not examine it. Said R. Zrika, or according to others R. Jeremiah, to him: If R. Simeon and R. Jehudah differ, the Halakha prevails according to R. Jehudah.

At another time he sent it to R. Itz'hak of Naph'ha, and the same happened again. Said R. Abba to R. Zrika: Why did not you let people do a thing in accordance with R. Simeon? And he answered him: Have you heard any decision that the Halakha is according to R. Simeon? And he said: Yea, so I have heard from R. Zera. Said some one of the disciples present: If I will be worthy to go to Palestine, I would like to learn the Halakha from the mouth of R. Zera. Later when he came to Palestine, he asked R. Zera: Did the Master say that the Halakha prevails according to R. Simeon? And he answered: I did not say it is so, but I said: It seems so to me, because the Mishna relates, R. Simeon said: If the blemish was not recognized while it was yet day, it is not prepared, and the Boraitha teaches the same in the name of the sages (in plural). And I thought the Boraitha did so because the Halakha prevails accordingly. How is it in reality? Said R. Joseph: Come and hear. I will base my decision on the words of great men, that R. Simeon ben Pazzi in the name of R. Joshuah b. Levi, quoting R. Jose b. Saul in the name of Rabbi, upon the authority of the Holy Assembly of Jerusalem, said that R. Simeon (b. Menasseh) and his colleagues

decide the above Halakha according to R. Meir. How can they have decided it according to R. Meir? They lived (the Holy Assembly of Jerusalem) in an earlier age than he. Say, they decided it in accordance with the *system* of R. Meir (this will be explained in Tract B'choroth).

Ammi of Vardinaa was the examiner of the firstlings of the Nasi; and he did not examine on festivals. When this was told to R. Ammi, he said, he does right. Is it so? Did not R. Ammi himself examine the blemishes of the firstlings? Nay, he used to see them the preceding day, but he kept his decision until the morrow, when he asked the owner how the animal had come by the blemish. As it happened when a man brought a firstling before Rabha on the eve of a festival, after noon, and at that time Rabha was washing his head. He raised his eyes, and looked on the blemish, and told the man: Go away to-day, and come to-morrow. The next day he asked him what was the cause of the blemish, and he answered: I have given it barley on one side of thorns, and it was on the other side; when it wanted to eat, it put forth its head between the thorns and thus tore its lip. And Rabha asked him: Perhaps you did it intentionally? And he said: No.

MISHNA: An animal which dies on the festival may not be removed thereon. It happened once, when Rabbi Tarphon was questioned on the subject, and also concerning a separate piece of dough, which had become polluted, he went to the college and inquired. They told him: They may not be removed from the spot.

GEMARA: Shall we say that this anonymous Mishna is not in accordance with R. Simeon (see Sabbath, p. 375)? Nay, the Mishna can be explained in accordance with him, but he owns that animals that died on Sabbath are prohibited. This would be right according to Mar bar Amemar, who said in the name of Rabh that R. Simeon owns it; but according to Mar b. R. Joseph, who declares in the name of Rabha that R. Simeon differs, even when the animals died on Sabbath, and said that they *may* be used? (What can be said to that?) Zera explained this Mishna, that it refers to an animal that was consecrated for sacrifice. And it seems Zera is right in his explanation, because the Mishna speaks further on about Hala that became unclean; and as the Hala was a consecrated thing, so must be also the animal in question.

MISHNA: An association for the purpose of jointly pur-

chasing an animal may not be formed on the festival; but if this was arranged before the festival, the animal so purchased may be slaughtered and shared on the festival.

GEMARA: What is meant by "may not be formed"? Said R. Jehudah in the name of Samuel: The price of the animal must not be fixed on the festival; but how shall it be done? Said Rabh: Two animals shall be brought, and placed side by side, and it shall be said: The value of this animal shall be as the value of that. We have learned also in a Boraitha: One shall not say to his neighbor: I will be a partner with you in this animal for one Sela or more; but he may say: I would be a partner with you for one half, third, or quarter of it.

MISHNA: R. Jehudah said: (A butcher who sells meat on a festival) may weigh it against a vessel or hatchet; but according to the sages he may not even look on the scales at all.

GEMARA: What is meant by "at all"? Said R. Jehudah in the name of Samuel: Even to preserve the meat from mice, he must not put it on the scales. Said R. Iddi bar Abbin: That is, when the scales hang on the lever. R. Jehudah in the name of Samuel says again: A butcher who is a specialist must not weigh the meat on his hand. He says again: The same must not weigh the meat in water. R. Hyya bar Ashi said: It is not permitted to make a hole in the meat, to use it as a handle. Said Rabina: But if he made it with his hand, not with a tool, it is allowed. R. Huna said: One may make a sign upon the meat, as Rabba bar R. Huna would cut the meat in the shape of a triangle for a sign. R. Hyya and R. Simeon the Great used to weigh one piece against the other, and they did it according to R. Joshua, as we learn in the following Boraitha: R. Joshua said: One may weigh one piece against the other. And R. Joseph said: The Halakha prevails according to R. Joshua, because there is a Mishna in Tract B'choroth in accordance with his decision.

MISHNA: Knives may not be ground or set on the festival; but it is permitted to sharpen one knife with the other.

GEMARA: Said R. Huna: It is only on a whetstone, but on wood one may. Said R. Jehudah in the name of Samuel: Even on a whetstone it is only prohibited to sharpen, but to remove the fat from it one may. We may infer from this, that on wood it is allowed even to sharpen.

Who is the Tana who holds that on a whetstone it is not permitted? Said R. Hisda: It is at any rate not according to R.

Jehudah, as we have learned in a Boraitha: R. Jehudah allows to make on a festival even the arrangements for the preparation of food (Sabbath, p. 309).

Said Rabha to R. Hisda: Shall we lecture in thy name that the Halakha prevails according to R. Jehudah? And R. Hisda answered: It may be the will of the Lord that all good things like this shall ye lecture in my name.

R. Nehemiah b. R. Joseph said: Once I was standing before Rabha, and saw that he took the knife and made passes with it over a basket. And I said to him: Does Master intend to sharpen it, or to remove the fat? And he said: To remove the fat. But I saw that he intended to sharpen it. From this it is understood that the Halakha prevails thus, but is not to be proclaimed to the people. Abayi told that the same thing happened to him and his Master, Rabba.

The schoolmen propound a question: May one give the slaughtering-knife to the wise for examination on the festival? R. Mari the son of R. Bizna allowed this, but the rabbis prohibited. R. Joseph, however, said: A scholar (Talmud Hakham) may examine the knife for his own use, and then lend it to others. R. Joseph said again: A knife that becomes blunt may be sharpened by pressure, provided that the knife becomes only blunt, but not injured.

R. Jehudah in the name of Samuel said: A spit that became crooked must not be repaired on a festival. Is not this self-evident? He meant to say, that even with the hand, without the aid of tools, it is not allowed. The same says again: After the meat has been roasted on the spit, it may not be handled more (because the blood defiling it makes it unfit for use until cleaned). Said R. Adda bar Ah'bah in the name of R. Malkiya: He may, nevertheless, take it to put into a corner, the same as it is permitted to do with a thorn that is seen in public ground. (Sabbath, p. 75.)

MISHNA: One must not say to a butcher: Give me meat for a Denar; but the butcher may slaughter the animal, and divide it among the customers.

One may say to another (on the festival), fill me this vessel, but it must not be a vessel appropriated to measure with. R. Jehudah says: If a measure is used it must not be quite filled. Abba Saul b. Batnit used to fill his measures on the day before the festival, and delivered them to the customers on the festival. The same Saul said: One may do so even on the inter-

mediate days, on account of the froth in the measure. The sages, however, say: One may do so also on week-days in order to let out the entire contents of his measure into the vessels of his customers.

GEMARA: What is meant by "vessel appropriated to measure with"? Said Rabha: That is, he shall not mention the kind of measure, but if the vessel is a measure he may do so. And R. Jehudah comes to teach that even this must not be done. From this we see that, about the enjoyment of the festival, R. Jehudah is more rigorous, and the sages are more lenient; but did we not learn in the Mishna about the scales (p. 55), that R. Jehudah is more lenient and the sages are more rigorous? And this would be a contradiction to that teaching? It presents no difficulty. The above Mishna referred to a thing which was not a weight, but this speaks of a vessel that is a measure. This reconciles the contradiction between one teaching of R. Jehudah and the other. And as regards what sages teach about the scales? They merely say that a man shall not do as is usually done on week-days, but here he does not do as on week-days, because it is not usual that a man should give wine to his guest to drink from a measure.

"*Abba Saul b. Batnit*," etc. A Boraitha taught: One may do it in the intermediate days to prevent interruption in the house of learning (if he will busy himself with the measuring, he will fail to go to the college).

The rabbis taught: Abba Saul collected three hundred pitchers of wine barely from the froth of the measures;* and his colleagues collected the same amount from what remained in the measures after emptying them for the customers. Both brought this wine to the treasurers of charity at Jerusalem. The treasurers said to them: It is not necessary for you to do so (because it is your own). But they replied: We do not wish to use (because we do not consider it ours). And the treasurers rejoined: If you are so rigorous towards yourselves, go and dispose of it for the benefit of the people.

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* Rashi explains thus: It was known to him how many lugs there had been in his barrel, and also how many he sold out to his customers, and the remainder which was in the barrel he considered was left because of the froth of the measures, and during the year it amounted to three hundred pitchers. And his colleagues who sold oil, which makes no froth, collected the same number from the remainder of the measures, as there is always some oil left in them, and during many years they collected from this the same amount.

R. Hisda accompanied Rabbana Uqba, and the latter lectured: One must not measure barley to give it to cattle; but one may nevertheless take a Kab full, or two Kabs, and give it to the cattle without fear. But the baker (cook) may measure the quantity of spices for putting into the pots, lest he spoil the flavors.

R. Jeremiah bar Abba in the name of Rabh said: A woman may measure the flour on a festival for her dough, for the purpose of separating a due share of the first dough. Samuel, however, prohibited to do so. But did not the disciples of Samuel teach in his name that it is allowed? Said Abayi: Now, when the disciples declared in his name that it is permitted, and from himself it was heard that it is not, we may assume that he retracted his decision in order to teach us how to act.

The rabbis taught: One must not resieve flour on the festival; but R. Papias and R. Jehudah b. Bthera both permit it. All agree, however, that if some dust or a chip fell into the flour, that may be done. One disciple taught in the presence of Rabina that if a chip has fallen into it, he shall remove it with the hand. And Rabina rejoined that this is by an *a fortiori* argument, not allowed, because it looks as though he sifts it.

Rabha bar R. Huna the Minor lectured at the gate of Nehardai: One may resieve flour on the festival. Said R. Na'hman to the people of Nehardai: Go and tell Abba, Take thy favor and put it on the thorns (*i.e.*, he did not any good with his lecture). Go and see how many sieves are used in Nehardai on the festival (even before his lecture).

The wife of R. Joseph has sifted flour on the back of a sieve, and he said to her: See, I want to have good bread (it means, you should not make any change). The wife of R. Ashi sifted the flour on the back of the table (to show a change from the week-days). Said R. Ashi: My wife is the daughter of Rami bar Hama, who was very particular in his deeds, and if she had not seen it done in the house of her father, she would not do it.

MISHNA: One may go to a shopkeeper with whom one is used to deal, and say to him: "Give me so many eggs or nuts," because the master of a house is used to count similar articles by numbers.

GEMARA: The rabbis taught: One may go to his shepherd who is an acquaintance, and ask him for one goat or one sheep; to his butcher, to ask him for a shoulder or leg; to the bird-seller, and ask him for one old or young pigeon, to his baker, and

ask him for a loaf or roll; and to his grocer, and ask him for twenty eggs or fifty nuts or ten peaches or five pomegranates or one lemon—provided one does not mention any numbers of measures. R. Simeon b. Elazar said: Provided one does not mention the prices.

## CHAPTER IV.

### REGULATIONS CONCERNING THE CARRYING AND HANDLING OF THINGS ON THE FESTIVAL.

MISHNA: If one has to transport jars of wine from one place to another (on a festival) he must not carry them in a basket or a case, but on the shoulder, or in his hand in front of his person. The same is the case when he has to carry straw; he must not put the bundle on the shoulder behind, but must carry it in his hand. One may commence to take a heap of straw (for fuel), but not of stacks of wood in an unused yard behind the house.

GEMARA: A Boraitha taught: If it is impossible to change the manner usual on week-days, it may be done as ordinarily.

Rabha has ordered in Mehuzah as follows: "A heavy burden which a man carries on a week-day with great trouble, if he has to bear it on a festival, he may carry it with the help of a *Rigla* (a long, crooked pole for bearing burdens), and though it is also heavy and a trouble, it is a change of the manner, on week-days. And what one man carries on week-days with the help of a *Rigla*, two men shall carry. The burden which two men carry on a pole on their shoulders, they shall carry on a festival with the hand, and what is carried with the hand, shall on the festival be carried with a cloth." All this shall be done, if possible; but if it is impossible, it shall be carried as usually, because the Master said: If it is impossible to change the manner it is allowed.

Rabha bar R. Hanin said to Abayi: A Mishna teaches: It is prohibited to clap with the hands, strike on the hips, and to dance on a festival. And in our time we see people do so, and we do not say to them anything. And he answered: And according to your theory, come and see the women who take their cans and go and stand at the gates of the entry, which is also prohibited, and we say nothing to them (would you also blame us for this?). This is not so (because it is a rule). Let

Israel do things unintentionally rather than intentionally (*i.e.*, they were sure that if it was told to them, they would not listen, and to preserve them from conscious transgression, they keep silence). And there is no difference in such a case between a biblical and a rabbinical prohibition. Because the adding from the eve of the Day of Atonement to the Day of Atonement (about half an hour) is biblical, nevertheless we see women eating and drinking till dark, and we say nothing.

"*But not of stacks of wood*," etc. R. Kahana said: From this it may be inferred that we must not commence to take of a whole store (stock storehouse), because it is "designated." Then it would be according to R. Jehudah, who holds the theory of Muktzah. How then would be explained the beginning of the Mishna, that one may begin to take of a heap of straw, that would be according to R. Simeon, who does not hold the theory of Muktzah? The Mishna refers to spoiled straw (which is no longer fit for food of animals). But it may yet be used for bricks? It refers to a case when there were thistles (or thorns) in the straw.

MISHNA: Wood may not be taken from a booth, but the pieces lying by may be used.

GEMARA: R. Hyya bar Joseph taught before R. Johanan the following Boraitha: Wood must not be taken from a booth, but only the pieces lying near it. R. Simeon, however, permits it. But all agree that from a booth made for the Festival of Tabernacles it must not be taken *then*. If the booth was made conditionally, all must be done according to the condition.

It has been said: R. Simeon permits it. But did he not demolish a tent? Said R. Na'hman bar Itz'hak: The case is when the tent is already demolished, or so weak as to *fall down* soon, so that even on the preceding day he had the intention to take wood of it.

The Boraitha states: If the booth was made conditionally, etc. Can then a condition affect it? Did we not learn in Succah (p. 10), that R. Shesheth said in the name of R. Aqiba: that the wood of the Succah is prohibited in all the seven days at all events? This part of the Boraitha means an ordinary booth, not a tabernacle.

MISHNA: One may bring wood from the field when it is a stack, and from a wood-shed, even of the dispersed pieces of wood. What is called a wood-shed? If it is near the city. So is the decree of R. Jehudah. R. Jose, however, said: If there is a door which can be locked, even if it is within the legal limit.

GEMARA: R. Jehudah said in the name of Samuel: Wood may be brought only from the stacks that are in the wood-shed, but not dispersed pieces. Did not our Mishna teach that from a wood-shed may be taken even dispersed pieces? The Mishna is only according to an individual Tana, but the other sages differ from it. Rabha said: Leaves of a vineyard or of branches, although they are gathered and lie together, because by a wind they may be dispersed, are to be considered as dispersed already, and may not be used. But if one had put a heavy thing on them the preceding day, they may be used.

"*What is called a wood-shed*," etc. The schoolmen propound a question: Did the Mishna mean both? Did it mean that it is near the city and has a door, and R. Jose comes to teach if it has a door it is enough, if it is not near the city, but within the legal limit, or when it has no door, even near to a city, also not? Come and hear: Because R. Jose teaches that if it can be entered through a door, and the door can be locked, it is allowed even within the legal limit, we may infer that R. Jose decides in both cases leniently. Said R. Sala in the name of R. Jeremiah: The Halakha prevails according to R. Jose, leniently.

MISHNA: It is not permitted to cut wood from new beams, even from an old beam that was broken on the festival; neither may wood be cleft with an axe, or saw, or bite-hook, but with a chopping-knife only.

GEMARA: Has not the first part of the Mishna said that we must not cut wood at all? Said R. Jehudah in the name of Samuel: The Mishna is not completed, and must be read thus: It is not allowed to cut from a pile of logs, neither from a beam that was broken on the festival; but from a beam that was broken the preceding day. And when they cut it, they shall not do it with an axe, etc. The same we have learned in the following Boraitha: One may not cut wood from a pile of beams, nor from a beam broken on the festival, because they are not considered prepared while it is yet day.

"*But with a chopping-knife only*." Said R. Hinna bar Salmia in the name of Rabh: It is only with the side of the blade used for chopping wood, but with the broad side wherewith one can cleave beams, it is not allowed.*

* It is difficult to understand the argument, as it is not known to us how the chopping-knife was made. Even Tospheth remarks because we do not know what kind of a chopping-knife it was, therefore it is not allowed to cut wood with any knife, only with the hand.

MISHNA: A house filled with fruits, if a hole was made, it is allowed to take fruit through this hole. R. Meir, however, said one may make a hole in the house, to commence with, for the purpose of taking the fruit.

GEMARA: Why so? Is he not demolishing a tent? Said R. Nehuma bar Adda in the name of Samuel: The Mishna refers to a house of bricks without mortar. R. Zera said: R. Meir allowed this only on a festival, but not on Sabbath. The same we have learned plainly in a Boraitha. Samuel said: If the doors of the cellars are tied with ropes, one may untie; but he may not untwist the ropes themselves, nor cut them off. When, however, with such ropes vessels were tied, he may untwist them and cut them off, and there is no difference between Sabbath and a festival in this case.

An objection was raised from the following Boraitha: If the doors of the cellars are tied with ropes, on Sabbath, one may untie, but he may not untwist the ropes themselves, nor cut them off. On a festival, however, all this is allowed? The Boraitha is according to R. Meir, who allows this on a festival to commence with, but I say according to the rabbis. But did the rabbis differ with R. Meir that if the doors of the cellars, etc.? Have we not learned in another Boraitha, that the sages agree with R. Meir concerning this case? Samuel holds with another Boraitha which stated differently.

MISHNA: It is not permitted to make a cavity in a lump of potter's clay for the purpose of using it as a lamp, because a utensil is thereby formed; neither may charcoal be made on a festival, nor the wick of a lamp be cut in two. R. Jehudah says: With fire it may be done.

GEMARA: Who is the Tana who holds that when a hole is made in such a lump it is called a utensil? Said R. Joseph: That is R. Meir (who states so in Tract Kelim).

The rabbis taught: One must not make a hole in a lump of clay to use it as a lamp, nor plates used by rustics (who are not particular about fine china, but use them as soon as made, before they have been hollowed out and *baked* in fire).* R. Simeon b. Gamaliel, however, allows it.

"*Neither may charcoal be made*," etc. Is this not self-evident? What use can one make on that day of charcoal? Taught R.

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* The commentators, Rashi and Tospheth, also the dictionaries, try to explain this term, but it remains obscure.

Hyya: The Mishna refers to those who need the charcoal for an *olearius* on this day (*i.e.*, a machine to heat oil to be fit for the body and clothes). Is it allowed then to take a bath on this day? As Rabha had explained in another place that it was allowed to go to sweat before it was prohibited, so also can this Mishna be explained to mean sweating, before the prohibition was made (see Sabbath, pp. 71, 72).

"*Nor the wick of a lamp*," etc. Why is it not allowed to do it with a knife? Because he makes of it a utensil (*i.e.*, he makes two out of one). Is not the same with fire? Taught R. Hyya: R. Jehudah meant to say that the ends shall be placed in two lamps, and shall be separated by burning the middle part, (and he only kindles the lamps).

R. Nathan bar Abba said in the name of Rabh: One may snuff a wick on the festival. Bar Qappara taught: Six things were said about a wick: three rigorously and three leniently. Rigorously: One must not commence to braid the wick, nor singe, nor cut it in two; and leniently: One may *twist* it with the hand, soak in oil, and make two wicks by burning the middle part. R. Nathan bar Abba in the name of Rabh said again: The rich men of the Babylonians are among those who descend to Gehenna; as it once happened Sabathai bar Merenus came to Babylon and asked them to support him in some business, and they did not; and he asked that they should feed him at least, and they also refused. Then he said: They are descendants of the "mixed multitude," as it is written [Deut. xiii. 18]: "And grant thee mercy, and have mercy upon thee." From this we infer that whosoever has mercy for creatures, he is surely of the children of Abraham our father, but whosoever has not mercy for creatures, it is certain he is not. The same says again in the name of the same authority: Whosoever is dependent upon the table of his neighbor, the whole world is dark for him. As it is written [Job xv. 23]: "He wandereth abroad for bread, (saying), Where is it? he knoweth that there is ready at his hand the day of darkness." R. Hisda said: His life is no life at all.

The rabbis taught: There are three men whose lives are not counted as lives at all: He who is dependent on the table of his neighbor; he whose wife dominates over him; and he who has bodily suffering. According to others, he who has no more than one shirt.

MISHNA: One may not break pieces of earthenware, nor cut paper for the purpose of roasting salted fish on it. Ashes

from the oven or hearth may not be removed, but they may be moved to one side. Two barrels must not be brought near each other, to place a pot on them over the fire, nor may a piece of wood be used to support a pot, nor a door. Cattle may not be driven on the festival with a stick; but R. Eliezer b. Simeon permits it.

GEMARA: Why so? Because he produces thereby utensils.

"*Ashes of the oven*," etc. R. Hyya b. Joseph taught in the presence of R. Na'hman that if it is not possible to bake in the oven unless one removes the ashes, one may do so. It happened to the wife of R. Hyya that half a brick from the wall of the oven fell down into the oven on a festival. Said R. Hyya to her: See to its removal, because I like to have good bread. Rabha said to his servant: Roast for me a duck, and see that it shall not be singed. Said Rabina to R. Ashi: We were told by R. Aha of Hutzl that the Master's servants, when the oven is closed, smear it with clay on the festival. And he answered: We live near the River Euphrates, where clay is ready at hand. The case is, when he makes a sign on the clay on the previous day. Said Rabina: To knead ashes, it is permitted (because they cannot keep for a long period).

"*Nor may a piece of wood*," etc. The rabbis taught: A pot must not be supported with a piece of wood nor a door, because wood is prepared only for fuel. R. Simeon, however, allows this. Cattle must not be driven with a stick, but R. Eliezer the son of R. Simeon permits it. Shall we assume that R. Eliezer holds with his father, that no theory of Muktzah exists? Nay, he is more lenient than his father; for his father would assent that they must not be driven with a stick, because it seems as if they are taken to the market.

Hizra (Abhazar in Arabic), R. Na'hman prohibited to use for the purpose of roasting on it meat; but R. Shesheth permits it. If it was dry, all agree it is permitted; they differ only when it is wet yet. Whosoever prohibits it, does it because it is not fit for fuel, and whosoever permits it, does it because in a great fire this also can be used. The Halakha, however, prevails thus: That a dry one is allowed, but not a wet one.

Rabha lectured: A woman shall not enter a wood-shed to take a crooked piece of wood for a poker; and if a poker was broken on the festival, it must not be burned, because fire may be made with vessels, but not broken vessels (Sabbath, p. 270). Shall

we assume that Rabha holds with R. Jehudah regarding the theory of Muktzah? Did not Rabha say to his servant: Roast me a duck, and throw the entrails to the cat? With the entrails it is different; because, as they become putrified he made up his mind the day before that they must be given to the cat.

MISHNA: Rabbi Eliezer says: One may take a splinter from the wood lying near him to clean his teeth with, and gather in the yard small pieces of wood, and burn them, because whatever is in the yard may be considered as prepared for the festival. But the sages allow one to pick up only those pieces that lie near him, and only to burn them. Fire may not be produced on the festival from wood, stones, dust or earth, or from water; nor may one heat tiles to broil food on them.

GEMARA: R. Jehudah said: To food fit for cattle the law of making a utensil does not apply (*e.g.*, to take straw or other fodder of cattle, and break it for cleaning the teeth, or so, is permitted; because, being fit for cattle, it may be handled, etc.).

R. Kahana objected him: We have learned that branches of spice-trees may be handled to enjoy the odor, and to fan with them a sick man. One may *grind*, also, to produce an agreeable odor; but one must not break them for the purpose of enhancing the odor. If he did so, he is not liable to a sin-offering; but if he broke them for the purpose of cleaning the teeth with them, he is liable. And he answered: If the Boraitha had said that one may not break them for the purpose of cleaning the teeth, it would be a great difficulty to me; much more, when it says he is liable to a sin-offering for it. The Boraitha must be incomplete and must be stated thus: He may grind with his hand for the purpose of odor; he may break them for this purpose, but the case is only when they are yet soft. But when they are already hard, he shall not break them. If he did so, however, he is not culpable, although it is prohibited; but if he broke for the purpose of cleaning the teeth, he is liable to a sin-offering.

In one Boraitha we have learned, he may break it in order to smell it, and in another one—that he must not break it for this purpose? Said R. Zera in the name of R. Hisda: It presents no difficulty. The Boraitha which allows it means when they are soft, and the other one, when they are dry. R. A'ha bar Jacob opposed: Why shall dry ones not be allowed? Did not a Mishna (Sabbath, p. 332) state: One may break open a cask to cut dry figs therefrom, etc.? Furthermore: Rabha and Rabbin, the sons of R. Adda, both say: When we were at the house of R. Jehudah,

he used to break twigs off a spice-tree, and give us sticks of the same, although the sticks were so large that they could be used for an axe or a spade handle. Therefore we must say that of the two Boraithas (mentioned above) one is according to R. Eliezer and one according to the rabbis of the following Boraitha: "R. Eliezer said: One may take a splinter from the wood lying near him to clean his teeth with; but the sages say: He can take it only from a manger. All agree that he shall not break it off, and if he did so, to clean the teeth or to open the door with it, if unintentionally on a Sabbath, he is liable to a sin-offering, and if intentionally on a festival, he is liable to the punishment of stripes. So is the decree of R. Eliezer. The sages, however, say: In both cases he is free, because this is only a *Shbuth* (Sabbath-rest, rabbinically)." Now, the Boraitha which states that he must not break it off is in accordance with R. Eliezer, who says there that he is liable to a sin-offering; and the Boraitha which states that he may do so is in accordance with the rabbis, who say there that he is free, even if he broke it off for the purpose of cleaning his teeth. Here, however, when it is for the purpose of smelling, it is allowed to commence with. But does not R. Eliezer hold what is stated in the above Mishna, that one may break open a cask, etc.? Said R. Ashi: According to R. Eliezer, the Mishna must be explained that the cask was cemented with resin, and it is impossible to use it afterwards as a vessel.

"*And gather in the yard.*" The rabbis taught: He may gather in the yard and burn, because all things that are in the yard are considered as prepared, provided he does not make of them heaps. R. Simeon, however, permits even this. On what point do they differ? One holds that if he makes heaps, it seems as if he prepared them for the day subsequent to the festival; but the other holds that his pot proves that it is for to-day.

"*Fire may not be produced,*" etc. Why so? Because to produce a new thing is not lawful.

"*One may not heat tiles,*" etc. What labor is that? Said Rabba bar bar Hana in the name of Rabbi Johanan: The Mishna refers to new tiles, that must be examined as to whether they can stand fire. According to others, it is a labor because they must be heated long, until they become hard.

The rabbis taught: New ovens or hearths are considered as ordinary vessels that may be handled in the yard; but they must not be anointed with oil, nor cleaned with a wet cloth, nor cooled

in cold water to harden it. But if all this should be done only for the purpose of baking on that day, it is allowed.

The rabbis taught: The head and the feet of an animal may be scalded, also singed. The hair may be removed by fire, but not with lime, clay, or earth; nor must it be cut off with scissors. Herbs must not be cut out with the same scissors with which they are usually detached from the ground. But one may prepare χιναρα (artichoke) and thistle and bake in a large oven, and water may be formed in an "antikhi" (a kind of kettle: see Sabbath, p. 74). A new large oven, however, must not be heated on the festival, because it may burst.

The rabbis taught: One must not blow bellows, but one may blow through a pipe. A spit must not be sharpened and fixed (for the purpose of roasting).

The rabbis taught: A cane must not be splintered for the purpose of roasting salted fish. A nut, however, may be cracked through a piece of cloth, without fear lest that the latter be torn.

MISHNA: R. Eliezer said again: In a Sabbatical year a man may place himself on the eve of Sabbath at the place where figs or raisins are kept, and say: From there I will take to-morrow. But, according to the sages, he must point out the exact spot, and say: I will take from this point to that point.

GEMARA: In a Mishna (Maasroth, Chap. IV., 2) it is stated: If children had saved dates from the eve of Sabbath and forgot to separate the tithe, when the Sabbath is over they must not eat them until the tithe is separated. Also in another Mishna (ibid. III., 1): If one passed dates through his yard to dry them, his household may eat of them moderately. Now, Rabba asked R. Na'hman: Does the Sabbath fix the time for separating tithe even from things the labors belonging to which are not finished yet? Shall we assume that because it is written [in Is. lviii.]: "Thou shalt call the Sabbath a delight," it fixes the time of tithing even for things the labors belonging to which are not finished yet, or it fixes the time only for things the labors on which are finished and not otherwise? And he answered: Sabbath fixes the time in any event. The former said again: Why shall not Sabbath be equal to a yard which does not fix the time for things on which the labor is not finished yet? Let the law of Sabbath be the same? And he answered: We have an explicit teaching that the Sabbath fixes the time for the thing in any event. Said Mar Sutra the son of R. Na'hman: Our Mishna which states that only on Sabbatical years it may be done so, and not

in an ordinary year, must also be explained, that because the Sabbatical year is exempt from tithe, he may do so; but in an ordinary year it must not be done so, because the Sabbath fixes it for tithe. When Rabbin came from Palestine he said, however, in the name of R. Johanan, that Sabbath, Heave-offering, a Yard, and Price all do not fix for tithe, only in things on which all the labor belonging to them is already done.*

*Sabbath*—to state that the law is not after Hillel in the following Boraitha: If one transferred fruit from one place to another to cut it, and Sabbath overtook him, R. Jehudah said that only Hillel prohibited to eat it before separating tithe, but all his colleagues differ from him.

*A Yard*—to state that the law is not after R. Jacob in the following Mishna, which says that whoso passes dates through the yard, his household may eat of them moderately, and they are free from tithe. And a Boraitha, in addition to this Mishna, states that R. Jacob says tithe must be separated, and R. Jose b. Jehudah frees it from tithe.

*Heave-offering*—to state that the law is not after R. Eliezer in the following Mishna: Fruit of which the heave-offering was separated before all the labors belonging to it were finished, R. Eliezer prohibits to eat from moderately, but the sages allow this.

*And Price*—as we learned in the following Boraitha: Whoso bought dates from a man of the common people in a place where the majority of gardeners press the dates, he may eat of them moderately; and when he comes to give tithe of them, he may separate tithe from it (but it is not necessary to separate heave-offering). And from this Boraitha we have learned three things: Firstly, that the price which is made does not fix for tithe until all the labor is done; secondly, that the majority of the common people do separate tithes; and thirdly, that if one comes to separate tithes from fruits bought from one of the common people, from a doubt lest the seller had not yet separated the tithe, he may separate it even from things the labors belonging to which are not yet finished.

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* The law of the tithe of all these will be explained in Tract Maasroth. The meaning of "Price" is, that if the grain was sold before it became ripe, it does not fix it for tithe.

## CHAPTER V.

### REGULATIONS CONCERNING LABORS PERMITTED AND NOT PERMITTED ON BIBLICAL FESTIVALS.

MISHNA: It is allowed to throw down fruit (kept on the roof for drying) by a trap-door (into the yard) on the festival, but not on Sabbath. It is also allowed to cover fruit, or jars of wine or oil, with vessels to protect them from rain. One may also place a vessel to receive rain on Sabbath.

GEMARA: Of which quantity does the Mishna speak? Said R. Zera in the name of R. Assi, according to others R. Assi in the name of R. Johanan: The same quantity which we have learned in the Mishna (in Sabbath, p. 276). One may even clear off four or five chests of straw or grain in order to remove obstacles to instruction, etc. But perhaps there it is different, because there are obstacles to instruction; but here, where it is not the case, it may be a less quanity? Or, on the contrary, there the Mishna speaks of Sabbath, which is rigorous, therefore a slight quantity is allowed. But here it is a festival, perhaps a greater quantity is allowed? It can be interpreted even in another way: There, where there are no damages of *money*, a quantity from four to five is allowed; but here, where there can be damages of money, even more is also allowed? And another question: There the Mishna teaches that one must not clear out a whole barn, and Samuel explained this that the Mishna meant he shall not clear out the whole barn for fear he will notice pits and would like to fill them up (ibid. 276). How is the law in our case? Shall we assume that because Sabbath is rigorous, the precautionary measure must be taken; but in the case of the festival, which is lenient, it need not be taken? Or, on the contrary, there, where although the reason is the fear of interruption in the house of learning, yet it is not allowed to clear the whole barn, how much the more here, where such a reason does not exist? And another question: Here the Mishna teaches that fruit must be thrown through a trap-door, and R. Na'hman said in addition

to this, that it is allowed only from *that* roof; but to throw it from this roof to another, it is not allowed. And so it was also taught in a Boraitha, that the fruit must not be carried from one roof to another, although the roofs are of equal altitude. Shall we assume that only in the case of the festival which is lenient this is prohibited as a precautionary measure, lest one shall come to hold cheap the holiday, and will do other things, but on Sabbath which is rigorous and no such fear exists, perhaps this is allowed? Or, on the contrary, as here, where the fruit can be damaged, we do not allow this; there, where no such a fear exists, so much the more it is not allowed. And another question: A Boraitha in addition to this Mishna teaches he shall not let it down by ropes and also not by ladders. Shall we say that only here, where the fear of the interruption in the house of learning does not exist, it is prohibited; but there, where such a fear does exist, it is allowed? Or, on the contrary, here, although there is fear of damages, it is not allowed, so much the more there? All these questions are not decided.

"*And fruits may be covered.*" Said Ula: Even piled-up bricks not mortared may be covered. R. Itz'hak, however, said only fruit fit for consumption may be covered with vessels, but no other things.

"*One may place vessels to receive rain.*" A Boraitha taught: When the vessel was full, he might empty it, and put it in its former place again; and so repeatedly. The handmill of Abayi was exposed to the rain (and he had not enough vessels to protect it). He came to Rabba his Master, and asked; and he answered: Go and place your bed in that room (where the handmill was), and then the handmill will be considered as a night chamber, which may be removed from a bedroom (and then he can remove the bed again). Abayi himself considered the law and said to himself: May one turn a clean thing into an objectionable thing intentionally? While he sat and thought thus, the handmill cracked. Said he: I deserve this punishment because I was disobeying my Master.

Samuel said: A chamber-pot and similar vessels may be removed, and voided on the garbage; and then washed, and returned. The schoolmen who heard this thought that the dirt may be removed only together with another vessel, but not without another vessel? Come and hear: Once a dead mouse was found in the place where R. Ashi's spices were kept, and he said: Take it by its tail, and throw it out.

MISHNA: All transgressions of the precept of Shbuth,* whether by any optional actions, or actions for religious purposes, are also such on the festival. The following actions are forbidden on account of Shbuth: To climb trees, mount an animal, swim in water, clap with the hands, strike on the hips, or dance. The following are prohibited as optional actions: To administer justice, to acquire a woman as a wife (by giving a ring, money, etc.), to take off the shoes of one refusing to marry the deceased brother's widow (Halitzah), or to marry such a brother's widow. The following actions are prohibited as though they are actions for religious purposes: To consecrate anything, to value sacred things, to pronounce anything as devoted (to the service of the Temple), to separate heave-offerings and tithes. All these have been decided to be prohibited on the festival, and *a fortiori* on Sabbath. (This is the rule): There is no difference between the Sabbath and the festival, except that the preparation of food is permitted on the latter.

GEMARA: To climb trees—lest one tear off something; mount an animal—lest one should cut off a twig (to drive it therewith); to swim—lest one make a *swimming bladder;* to clap the hands, strike on the hips, dance—all lest one fix musical instruments.

"*The following are prohibited as optional.*" *To administer justice:* is this not a religious act? The case is, when there is a better man than he who can perform it. *To acquire a wife:* is this not a religious act? The case is, when he has already a wife and children. *The ceremony of Halitzah and Jibum:* are these not religious duties? The case is, when there is an elder brother than he, and the duty falls on the elder brother. And the reason why all these are prohibited is as a precautionary measure, lest he come to write. *And these are prohibited, though religious acts:* as a precautionary measure, lest he will come to buy and sell. *To separate heave-offerings,* etc.: is not this self-evident? Taught R. Joseph: The case is, when he wants to give it to the priest on the same day. But the law applies only to things wherefrom it is fit to separate the day before; but if he kneads dough on the festival, the first dough may be separated and given to the priest. *All these on the festival,* etc.: there is a contradiction to this (in the first Mishna of the chapter): "One may throw fruit on the festival, but not on Sabbath"? Said R. Joseph: There is no

* See above, p. 67.

difficulty: Our Mishna is in accordance with Eliezer: that the precautionary measures taken for Sabbath are to be taken also for festivals; and the other Mishna is according to Joshua, who says: When mother and son fall in a pit, the first may be taken out for slaughtering, and then by connivance the other. R. Papa, however, said that the above Mishna is in accordance with Beth Shammai, and the first Mishna is in accordance with Beth Hillel. But perhaps it is not so? The statement of Beth Shammai refers only to carrying out, but not to handling it? Nay, is then handling not necessary in carrying out?

MISHNA: Cattle and utensils may be brought as far only as their owners may go, and when a person commits his cattle to his son or shepherd, they may not be brought or driven farther than the owner may go. Utensils that are appropriated to the exclusive use of one among brothers living together in the same house may be brought as far as that brother may go; but if they are not thus exclusively appropriated to one only, they may be brought to the places where all may go.

A utensil that had been borrowed since the eve of the festival may be carried as far as the borrower may go; but if on the festival, as far as the lender may go. And when one woman has borrowed of another spice, water, or salt, to make dough, they may be carried as far as both may go. R. Jehudah excepts water, because its substance does not remain visible.

GEMARA: Our Mishna seems to be not in accordance with R. Dosa of the following Boraitha: R. Dosa, according to others Abba Saul, said: Whoso had bought an animal from his neighbor on the eve of a festival, although he did not receive it until the festival, the animal may be driven as far as the buyer may go. The same is the case with him who gives an animal to the shepherd. If the arrangement was made before the festival, but he delivered it on it, it must be considered as the shepherd's? Nay, the Mishna can be explained also in accordance with R. Dosa, and it presents no difficulty. Our Mishna refers to a case where there are two shepherds in the town (when it was not known to which of them he would give); therefore it is considered as the owner's. But R. Dosa speaks of a case where there is but one shepherd. This explanation seems to be right, because our Mishna teaches, "to his son or shepherd." And as there may be more than one son, so is it about shepherds.

Said Rabba bar bar Hana in the name of R. Johanan: The Halakha prevails according to R. Dosa.

The rabbis taught: If two men had borrowed one garment, one should go in it to the House of Prayer in the morning, the other to the Dancing-house in the evening. Thus one will make an Erub to the north and the other to the south. Whoso has made an Erub to the north may go in this garment only as far as he who has made an Erub to the south may go in it to the north; and *vice versa*. But if either has made an Erub *at his* legal limit, so that by giving the right to move two thousand ells *more* in one direction, he loses the right to walk in the opposite direction even one step, then the garment belonging to both may not be moved from the town by either.

It was taught: If two men bought a barrel and an animal in partnership on the eve of a festival, the barrel may be moved by either to places where he goes; but the animal is not allowed to be driven except to places where both are allowed to go. So is the decree of Rabh. But according to Samuel, the case is the same with the barrel as with the animal. (Let us see:) What is the reason of Rabh's theory? If Rabh holds the theory of premeditated choice, then why shall the animal not be allowed? And if he does not, why shall the barrel be allowed? We may say that in reality he holds this theory (and therefore the barrel is allowed); but the animal is different, because it was alive at the twilight before the festival, and the blood changing its place from one member to the other on the festival, neither half can be chosen by either man (and as the partners have to go in different directions, neither may move the animal). Said R. Kahana and R. Ashi to Rabh: Even according to your theory, if the animal would be slaughtered, both partners would be allowed to eat of it, although the blood was circulating from one half designated for one man to the other half of the other man. Consequently the circulation of the blood is not feared in case of the law of Muktzah. Why, then, shall it affect the law of legal limit? Rabh was silent. What is in reality the law? R. Hoshia said: There is the theory of choice, and R. Johanan says: There is not. Mar Zutra lectured that the Halakha prevails according to R. Hoshia.

Samuel said: An ox from the dealer may be moved by every buyer to the places where he goes; but an ox belonging to the herdsman may be driven only where the people of the town have a right to go.

"*A utensil borrowed since the eve of*," etc. Is not this self-evident? The case is, when one actually received it on the festival, we would assume that as at twilight it was yet in the lender's

house, it should not yet be considered as the borrower's, he comes to teach us that the arrangement suffices to make it considered as the borrower's. And this is in support of R. Johanan's decree, who said: One who had arranged to borrow a utensil from his neighbor on the eve, and took it on the festival, is considered as the borrower's.

"*But if on the festival*," etc. Is this not self-evident? The case is, when it was the custom of this man to borrow of that man often, and we would assume that the lender had the intention to give it to him from the eve, and therefore it should be regarded as the borrower's, he comes to teach us this is not the case; because it may happen that meanwhile another man may come and borrow it.

"*And when a woman borrowed*," etc. When R. Abba intended to go to Palestine, he prayed that it should be the will of the Lord he should say a thing which should be accepted (by those sages). When he arrived there, he found R. Johanan, R. Hanina bar Papi, and R. Zera; according to others, R. Abahu, R. Simeon b. Pazzi, and R. Itz'hak of Naphha, who were sitting interpreting our Mishna, saying: Why, let the water and the salt be ignored in the dough? Said R. Abba to them: Would it be right, when one threw in one Kab of wheat into ten Kabs of his neighbor's, shall the owner of the nine Kabs take the one Kab as his own and enjoy it? (The same shall be the case here. Because water and salt are of little value, shall they be ignored?) They were laughing at him. Said R. Abahu to them: Why do you laugh? Have I taken your garments? They laughed again. In reality, what is the reason of the Mishna's teaching? Said Abayi: That is a precautionary measure, lest they will make the whole dough in partnership. Rabha said: The reason is because spices give a flavor, and everything that gives a flavor cannot be ignored. R. Ashi said: The reason is, this prohibition is only temporary, and anything temporarily prohibited cannot be ignored, even when it is among a thousand.

"*R. Jehudah excepts water*." Did R. Jehudah except water, and not salt? Have we not learned in a Boraitha: R. Jehudah said that water and salt both are ignored, either in dough or in a pot? It presents no difficulty: Our Mishna speaks of Astrakhan salt, which is coarse, and must not be ignored, while the Boraitha means salt of Sodom, which is fine and is ignored. But we found another Boraitha, which says that according to R. Jehudah water and salt are ignored only in dough, but not in a pot, because of

its wetness (and it imparts a taste to every part). It presents no difficulty: One Boraitha applies to a pot where something thick is cooked, while the other means a pot of soup.

MISHNA: Burning coals may be carried as far as the owners may go, but a flame may be carried everywhere. If a coal of consecrated fire has been applied to profane use, the sin of desecration has been committed; but though no profane use must be made of a flame of sacred fire, yet a person who applies it thus has not incurred the penalty, and thus, if anybody carries (on Sabbath) a burning coal into a public place, he is guilty, but does not incur the penalty for a flame. The water of a well belonging to an individual may be carried as far as that man may go; but if it belongs to a town, as far as the inhabitants thereof may go. The water of a well made for the use of travellers (such as those) who come from Babylon, may be carried as far as he who draws it may go.

GEMARA: The rabbis taught: Five things have been taught about the burning coals: They may be carried as far as the owners may go; but a flame, everywhere. The sin of desecration applies only to a coal, but not to a flame; it must not, however, be used. A coal of idolatry is prohibited to be used, but the flame is permitted. Whoso carries a coal into public ground on Sabbath is culpable, and a flame is innocent; and whoso has made a vow not to receive any benefit from his neighbor must not use his coal, but may use his flame. Why may a consecrated flame not be used, but a flame of idolatry may be? In regard to idolatry, which is repulsive, and men avoid it in any event, no precautionary measure was taken; but to a consecrated thing which is not so, it was taken.

"*A well belonging to an individual,*" etc. Rabha suggested the following contradiction before R. Na'hman: Our Mishna teaches that the water of an individual may be carried only as far as he may go, and in another Boraitha we have learned: Running rivers and springing wells are to be considered as the feet of every man (Sabbath, p. 261). Said Rabba: The Mishna refers to a well where water is not springing, but collected, and the same was taught in the name of Samuel by R. Hyya bar Abbin.

"*Babylonian travellers*": as the feet of him who draws it. It was taught: If one draw it and give it to another man, R. Na'hman said it may be considered as the feet of him for whom it is drawn; but R. Shesheth says, as his who draws. In what point do they differ? One holds that the well may be considered

as ownerless (and if the water was drawn for any one he becomes the owner), and the other holds that they are partners.

MISHNA: If one has fruit in another town of which the inhabitants only made an Erub (but not the owner), they must not bring his fruit to him; but if he has made the Erub, the fruit may be carried to any place he is allowed to go.

When one has invited guests, they must not carry home with them anything from the table, unless he had granted it to them the day before the festival.

GEMARA: It was taught: If one has deposited fruit at his neighbor's house, Rabh said the fruit is to be considered the property of the keeper; but Samuel said it is still regarded as the property of the depositor. An objection was made, based upon our Mishna: If he made also an Erub, the fruit may be brought to him. Now if, according to Rabh, it is considered the property of the keeper, what is the use of his making an Erub? Said R. Huna: The disciples of Rabh explain our Mishna that it refers to a case when they assigned a corner for his fruit (so that it is as if under his supervision). Come and hear (another objection): "They must not carry home," etc., "unless he had granted it," etc. Now, if it is considered the keeper's, what is the use of granting on the day before? The answer is, that granting is equal to assigning a separate place, as explained above, and if you wish it can be said that the case when granting is different.

R. Hana bar Hanilai suspended meat on the bar of the door, and went away. After when he wished to use it he came before R. Huna and asked him whether he can use it or not (because the meat was brought to him by a butcher out of town, and he feared perhaps he brought it from over the legal limit), and R. Huna answered: If yourself have suspended it, you may use it, but if the butcher suspended it, you may not.

MISHNA: One must not give drink to, or slaughter, animals living wild, but one may do it to domestic animals. And what are called domestic animals? When they are at night in the town or the suburbs; and those which are in the open field are called wild.

GEMARA: To what purpose are both drinking and slaughtering stated? It is a thing by the way: it comes to teach us that before slaughtering it is good the animal shall drink, because it is then easier to take off the skin.

The rabbis taught: Wild beasts are called those which depart

about the time of Passover, and feed in the marshes in the summer, and return in the fall; and domestic are called those which go out every day beyond the legal limit, but return every night. Rabbi, however, said: Both kinds mentioned are called domestic; but which are called wild beasts? Those that never come to inhabited places. Does, then, Rabbi hold the theory of Muktzah (prohibiting to slaughter even a wild beast)? Did not his son, R. Simeon, ask him: Dates which become not ripe on the tree, but are put in boxes of palm-branches and remain there till they ripen, what is the law about eating them on Sabbath according to R. Simeon? And he answered: The theory of Muktzah, according to R. Simeon, does not exist at all? (And as we know that Rabbi's opinion was according to R. Simeon, consequently he does not hold the theory of Muktzah at all?) Rabbi said to the sages as follows: According to my opinion, no theory of Muktzah exists. But even in your opinion, would you not own to me that the animals which return in the fall must be called domestic? And the sages answered: No; in our opinion they are still called wild beasts.

END OF TRACT BETZAH (YOM TOB).

# TRACT SUCCAH (BOOTHS).

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To the President of "Temple Israel," New York,

## DANIEL P. HAYS, Esq.

In consideration that through his influence, this Congregation is the first and unique among the reformed to establish a Succah in connection with their Temple, the Editor takes much pleasure in dedicating the tract which treats about the Succah, to him, to the Rabbi, and all the associates who took part in introducing same.

Very respectfully,

MICHAEL L. RODKINSON.

New York, Tuesday שני חסח, April 25th, 1899.

# SYNOPSIS OF SUBJECTS

OF

# VOLUME VII.—TRACT SUCCAH.*

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* See Introduction to Synopsis in Tract Sabbath, Vol. I., p. xxix.; also note at end of Synopsis in Vol. V.

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MISHNAS III. to VI. How many times was the trumpet blown in the Temple every day, and how many on the festivals? The different opinions of the Tanaim about this point. When was the maximum of forty-eight times blown? For what purpose were the seventy bullocks offered on the seven days of the Feast of Tabernacles? And for what purpose was the one bullock offered [Numb. xxix. 36]? Three times in the year all the

twenty-four orders of priests were alike entitled to share the pieces of offerings of the festival, and in the shewbread, for what purpose? Whence do we deduce that all the orders of priests had equal shares in the offerings that were said to be sacrificed on the festivals? If a festival falls before or after a Sabbath, all the twenty-four orders share alike in the shewbread. What is meant by before or after? About the order of Bilgah, when Miriam his daughter becomes an apostate, and what she said when the enemy entered the sanctuary, and what was done to the whole order, . 85-92

# TRACT SUCCAH.

## CHAPTER I.

### REGULATIONS CONCERNING THE BUILDING OF A LEGAL BOOTH FOR THE FEAST OF TABERNACLES, ITS WALLS, AND ROOFING.

MISHNA: A booth which is higher than twenty ells is not valid. R. Jehudah, however, says it is. One which is not ten spans high, one which has not three walls, or which has more sun than shade, is not valid.*

GEMARA: Whence do we deduce this? Said Rabha: It is written [Lev. xxiii. 43]: "In order that your generations may know that I caused the children of Israel to dwell in booths." Up to twenty ells a man knows that he is living in a booth, but higher than twenty ells he does not know, because his eyes do not frequently perceive the roof. R. Zera said: From the following passage [Isa. iv. 6]: "And a tabernacle shall it be for a shade in the daytime from the heat." Up to twenty ells a man sits in the shade of the roof, but if it is higher than twenty ells a man sits in the shade of the walls (but not of the roof). Said Abayi to him: According to your theory, if one has made a booth between two hills, it is also not legal (because there is no shadow from the roof at all)? And he answered: What comparison is this? if the hills were removed, he would sit in the shadow of the roof; but here, if the walls would be taken away, there would be no shade at all. Rabha said: From the following passage [Lev. xxiii. 42]: "In booths shall ye dwell seven days." The Law commands that for seven days one shall remove from his permanent dwelling into a temporary dwelling. Up to twenty ells, ordinarily a man makes a temporary dwelling; but higher than this it is not usual to make a temporary dwelling. Said Abayi to him: According to you, if one has

* See Vol. III., p. 1, Gemara, which also belongs to our Mishna.

made iron walls, and covered them with a legal roof, would it also be unlawful for a booth? Rabha answered: I mean to say this: Up to twenty ells, which is an ordinary height for a temporary dwelling, even if one makes it a permanent dwelling, he can fulfil his duty; but over twenty ells, which is the ordinary height only of a permanent dwelling, even if one has made it a temporary dwelling, it is also unlawful? According to whom is the following saying of R. Joshia in the name of Rabh: The sages and R. Jehudah differ only when the walls do not reach the roof; but if the walls do reach the roof, all agree that the booth is valid though the walls be higher than twenty ells? It is in accordance with Rabha, who says that the sages make it invalid because the eye cannot reach the roof; but when the walls are attached to the roof, the eye is able to do so.

According to whom would the following saying of R. Hannan in the name of Rabh be: that they differ only about a booth less than four ells square, but when it is four ells square all agree that it is valid? This is in accordance with R. Zera, who says: The rabbis make it unlawful because of the lack of shadow, and in a booth four ells square there is a shadow. And according to whom is the following saying of R. Hannan b. Rabha in the name of Rabha: They (the sages and R. Jehudah) differ when the booth is only of a size to accommodate a man's head and greater part of body, and his table; but if it is of a larger size, then if it is higher than twenty ells, is it also valid? It is not, according to any one. An objection was raised: We have learned in a Boraitha: A booth which is higher than twenty ells is not valid. R. Jehudah, however, makes it valid, even if its height is forty or fifty ells; and he said: It happened that the Queen Helen, in the city of Lud, was sitting in a booth which was higher than twenty ells, and the older sages were entering and going out of it, and they did not object. And the sages answered him: This is not proof. She was a woman, and it is not obligatory for a woman to sit in a booth at all. And he rejoined: Everybody knows that she had seven male children; and besides this, all her acts were only in accordance with the will of the sages.

Now, it is right according to him who said that they differ in a case where the walls of the booth do not reach the roof, because usually a queen is sitting in a booth whereof the walls reach not the roof, that air may come in; but according to him who said that even in case of a small booth they differ, is it customary that a queen should sit in a small booth? Said Rabba bar R. Adda:

The case was of a booth separated into chambers. But is it customary that a queen should sit in a booth separated into chambers? Said R. Ashi: Yea, the case was that of a large booth with chambers, and the sages differ about the chambers. They hold that she sat in a separate chamber, but her children were sitting in a lawful booth, and therefore the elders did not object; but R. Jehudah said, her children sat with her, and nevertheless they did not object.

R. Samuel bar Itz'hak said: The Halakha prevails that the booth must be large enough to accommodate the head, the greater part of the body, and a table. Said R. Abha to him: According to whose opinion is this? And he answered: It is according to Beth Shammai, and nevertheless one shall not deviate from this law. R. Na'hman bar Itz'hak opposed this: Where do you find that Beth Shammai and Beth Hillel differ about a small booth? Perhaps they differ about a large booth, and the case was that the man was sitting at the entrance of the booth, and the table was in the house. Beth Shammai prohibit this as a precautionary measure, lest he incline himself toward the table, and then he will not be sitting in the Succah at all, and Beth Hillel does not call for such a precautionary measure. And a support to this I can bring from the following Boraitha: If one whose head and greater part of body was in the booth, and his table was in the house, Beth Shammai say it is not lawful, and according to Beth Hillel it is. Now, if they differed about the size of the booth, it should be said: if one sat in a booth which cannot contain more than the head and greater part of the body. And another Boraitha stated that Rabbi says if a booth does not contain four ells square it is invalid; but the sages say, if it contains the space for the head and the greater part of the body it is valid? Nay, they differ in both cases, and the Boraitha is not complete, and must be read thus: if one was sitting with his head and greater part of his body in the booth, and the table was in the house, he did not fulfil his duty, according to Beth Shammai; but Beth Hillel say he did, and a booth which cannot contain more than the greater part of the body and the head is unlawful, according to Beth Shammai; but Beth Hillel say it is.

Who is the Tana of the following teaching of the rabbis: In a house which is not four ells square, it is not obligatory to have a Mezuzah (a battlement),* and it is not subject to being defiled

* Deut. xxii. 8.

by plagues, and it is retained at the jubilee year in a fortified town [Lev. xxv. 29], and a man possessing such a new house must not be kept from going to war, and an Erub must not be made in it, and it is not counted as a house to combine with the houses of the alley, and an Erub (from the courts) must not be deposited in it, and it must not be regarded as a house on the border between two towns, and brothers and partners do not divide it? Shall we assume it is according to Rabbi, not the sages? Nay, we can say that it is in accordance even with the sages. Do the sages allow a dwelling of less than this size? Only when it is a Succah which is temporary; but a house which is a permanent dwelling even the sages agree must be at least four ells square. Then men can live in it; but if less, it is not called a house at all.

If the booth was higher than twenty ells, and one put in pillows and feather-beds, it is not considered as made lower thereby; even when he renounces their use for any other purposes, because we ignore his resolve, as people in general do not do it. But if one puts there straw, and renounces it, it is considered as made lower; and so much the more, loose earth. But if one puts there straw which he does not renounce, although he does not purpose to remove it, and also sand, which he does not renounce—in that case Jose and the sages differ (Tract Ahaloth, Chap. XV. 6). If the booth was higher than twenty ells, and from the roofing hung down small twigs, then if they are so numerous that there is more shadow than sunshine, they are considered to make it lower; but if less than that, they do not make it lower. If it was high only ten spans, and small twigs hung down from the roof, Abayi thought that if there was more sun than shadow between the twigs, it was valid. Said Rabha to him: It is an unendurable dwelling, and nobody would live in it. (Therefore it is not valid.)

If it was higher than twenty ells, and one constructed in it a bench along the whole middle wall, if the bench is as large as the legal size of a booth (seven spans and a trifle), then the booth is valid (the whole booth because of a crooked wall); but if he constructed a bench along a side-wall, if from the edge of the bench to the opposite wall it is four ells, it is not valid; but if less than this, it is valid (because the bench legalizes two walls, the third being without the legal limit). If he constructed a bench in the midst of the booth, if from the edge of the bench to each of the walls it is four ells, it is not valid; but if less, it is valid, because of a crooked wall on all sides. If, however, he put the bench on

one side, then if it is less than four ells of the wall, it is valid (because of a crooked wall on one side); but if it is four ells, it is not. If the booth was less than ten spans in height, and he dug in it a pit to make it ten spans high, if from the edge of this pit to the wall is three spans, it is invalid; but less than that, it is valid. Why, then, in the case when it is twenty ells high, are less than four ells needed to make it valid, while here, when it is ten spans high, less than three spans are needed? Because there a wall is in existence, and to make it invalid one must have four ells; but in the case of ten spans, the wall is not considered a wall at all, and to make it a wall less than three spans are wanted (because then it is Lavud, *i.e.*, considered as attached to the ground of the pit when it would be ten spans high). (See Sabbath, p. 12, note §.)

The rabbis taught: If one has placed four poles and roofed them, according to R. Jacob, it is valid in cases when the poles admit of partition, as will be explained further, for a booth, but according to the sages it is invalid. Said R. Huna: They differ only about the edge of the roof. R. Jacob holds the theory of Gud Assik (see Erubin, note, p. 6) applies here, and the sages hold that it does not. But about the middle of the roof they all agree it is invalid. R. Na'hman, however, said: They differ even about the middle of the roof. The schoolmen propounded a question: Does R. Na'hman mean to say they differ about the middle, but about the sides all agree that it is valid? Or does he mean to say, they differ even about the middle? This question is not decided.

The rabbis taught: If one drove into the ground four poles and roofed them, R. Jacob said, it should be seen whether each of the poles is so thick that if it would be divided it would reach a span on each side (see illustration of enclosures, Erubin, p. 18), then they must be considered as enclosures and the booth is valid; but if they have not such a thickness, it is not valid. And this is according to his theory elsewhere, that the enclosures of a booth must be not less than a span at each side. But the sages said, the booth is not valid unless there are two walls as usually; and the third wall is sufficient, even if it is one span.

"*If less than ten spans.*" Whence is this deduced? It was taught: Rabh and Mar Hanina, R. Johanan and R. Habiba, taught [in the whole section of Moed, whenever these names are mentioned, they put R. Jonathan in the place of R. Johanan], the ark was nine spans, and the cover to it one span, together it is

ten. As it is written [Ex. xxv. 22]: "And I will meet with thee there, and I will speak with thee from above the cover." And we have learned in another Boraitha: R. Jose said that the Shekhina never descended, and Moses and Elijah never ascended the heaven. As it is written [Psalms, cxv. 16]: "The heavens are the heavens of the Lord, but the earth hath he given to the children of man"; but is it not written [Ex. xix. 20]: "And the Lord came down upon Mount Sinai"? And the answer is, that He did not come down lower than ten spans* from the ground. (Now, when He says, "I will speak to thee from above the cover," that means ten spans higher. From this we see that ten spans are counted as separate premises; hence ten spans is the minimum height of a dwelling.)

It is true, the ark is nine spans, because it is written [Ex. xxv. 10]: "And they shall make an ark of shittim wood: two ells and a half shall be its length, and one ell and a half its breadth, and an ell and a half its height" (and as an ell is six spans, the height of one and a half is nine spans). But where do we find that the cover is one span? From the teaching of R. Hanina as follows: Of all the utensils that Moses made, the Law had prescribed before the length, the breadth, and the height. In case of the cover, however, the length and the breadth are written, but not the height; and we must go and draw this lesson from the meanest of the utensils, as it is written [ibid., ibid. 25]: "And thou shalt make unto it a rim of a hand's breadth round about." As the height of the rim is a span, we infer that the height of the cover is also a span. But why from the meanest of the utensils—why not from the utensils themselves? Because there is a rule, when much is grasped at, nothing is grasped; but when little is grasped, it is retained. R. Huna said: We infer it from this passage [Lev. xvi. 14]: "On the face of the cover, eastward"; if less than a span, it would not be called face. But where do we find that the distance between the roof and ground should be ten spans? Perhaps the roof itself should be included? Therefore we say this theory they draw from the Temple; as it is written [in I Kings, vi. 2]: "And the house which King Solomon built unto the Lord was sixty ells in length, and twenty in breadth, and thirty ells in height"; and [ibid., ibid. 26]: "The height of the one cherub was ten cubits, and so was the other"; and a Boraitha states, as

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* See the article, "What is the Talmud?" in our pamphlet, "The Pentateuch, its Languages and Characters," for an explanation of this saying.

we have found in the Temple, that the cherubim were a third of the height of the house, so also in the tabernacle in the desert they were one-third. Now, the height of the tabernacle was ten ells, as it is written [Ex. xxvi. 16]: "Ten ells shall be the length of each board." How many spans are in ten ells? Sixty. A third thereof is twenty: take off ten, which was the height of the ark with the cover, ten is left. And it is written [ibid. xxv. 20]: "And the cherubim shall spread forth their wings on high, overshadowing the cover." Hence we see that the Torah calls "overshadowing" when above ten spans. Therefore we infer that the roofing overshadowing the booth must be above the ten spans.

This would be right according to R. Meir, who said that all the ells mentioned in the Torah measure six spans; but according to R. Jehudah, who says that the ells of a building measured six spans, but other ells only five spans, what can be said? If so, the ark with its cover would be only eight and a half: then remain for the cherubim eleven and a half. Shall we say that the booth must be high at least eleven and a half? According to R. Jehudah the size of a booth is (Sinaic). (As it is said in Tract Erubin, p. 5.)

"*One which has not three walls.*" The rabbis taught: Two walls must be as usually, but the third one may be even one span. R. Simeon, however, said: Three must be as usually, and the fourth one may be a span. In what point do they differ? The rabbis hold, the bases are the Massorah (*i.e.*, if we came to draw something from Scripture the basis must be the Massorah) and as [in Lev. xxiii.] "in booths" is mentioned three times, and the Hebrew term for this is בסכת, בסכת, בסוכות; * that is, two of them are written in the singular and one in plural, and from each term in the singular we infer the necessity of one wall, and from the term in the plural two, which make four: take off one expression intended as a commandment to make booths in general, we infer from the two which are superfluous the necessity of three walls; that is, two as usually, and the third one the tradition reduces to a span in case it is valid. But according to R. Simeon the basis must be the biblical words as they *read;* and as all three *read* in the plural, we infer the necessity of six walls: take off one term as a general commandment, we have left four; hence three must be as usually, and the fourth tradition reduces to one span. And if you wish, we will say: that all

* In our Scripture we do not find so, but see the Massorah.

agree that the basis must be the Massorah, but the point whereon they differ is, one holds that the first verse, where the commandment is written, we also take into consideration to infer the necessity of a wall—consequently it is four walls; and one holds that the first must not be taken into consideration, and it is only three. R. Mathua said: R. Simeon infers his theory from the following passage [Isa. iv. 6]: "And a tabernacle shall it be for a shadow in the daytime from the heat, and for a refuge, for a covert from tempest and from rain" (*i.e.*, if it is not three walls, it cannot be a protection from wind, etc.).

Where shall be placed the wall which is one span wide? Said Rabh: One may place it where one wall ends, no matter which; it was taught that the same was said by Samuel in the name of Levi, and so also it was decided in the college. R. Simon, and according to others R. Joshuah b. Levi, said: The wall which is a span shall be wide as a span made by the palm when extended, and one shall place it at a distance of less than three spans from another wall, so that the theory of Lavud should apply.

R. Jehudah said: A booth that was made as an entry is valid (the two walls need not be adjacent, but may be opposite, while the wall of one span can be placed at any side one likes). R. Simeon, and according to others R. Joshuah b. Levi, said: Such a booth is lawful only when one places an enclosure four spans and a trifle wide, and at a distance of less than three spans from the wall, so that the theory of Lavud can apply: then it will be counted together seven spans and a trifle, which is the lawful width for a booth. Why is it said there that it is sufficient when it is wide as an extended span, and here that an enclosure of four spans is needed? There, where there were two walls, as usually, a span is enough; but here, in which case they are opposite, an enclosure of at least four spans is required. Said Rabha: And to it must be added an appearance of a door (on the other side). R. Ashi found R. Kahna, who made a third wall extended a span wide, and on the other side an appearance of a door; and he said to him: Does not the Master hold with Rabha, who said that an appearance of a door is sufficient for a third wall? And he answered: I hold with the saying of Rabha, as it is interpreted above, that an appearance of a door must be added too.

Again: "*Two walls as usually*," etc. Said Rabha: This booth is considered private ground in reference to a Sabbath falling in the Feast of Tabernacles, so that things may be carried

from another private ground into this booth, and *vice versa* (although for a legal private ground three walls are needed), because as the two walls are considered a Succah, it is considered also private ground for this Sabbath. Rabha said again: If one has made a roof above an entry which has a side-beam, it is valid for a booth.* And the same said again: If one has roofed the enclosure of a well (see illustration in Erubin, p. 18), it may be used as a booth.

"*If there is more sun than shadow, it is not valid.*" The rabbis taught: If there is more sunshine than shadow from the roof, but not from the walls. R. Joshiah, however, said: Even if it is more sunshine from the walls, it is also invalid. Said R. Yemar bar Shlomiah in the name of Abayi: What is the reason of R. Joshiah's decree? Because it is written [Ex. xl. 3]: "Thou shalt cover the ark with a vail"; now the vail was a partition, and the Torah says: "Thou shalt cover with it"; we may infer from this, the partition shall be equal in law to the cover (or roof). And what will the rabbis say to the query of R. Joshiah? The rabbis explained the expression, "Thou shalt cover it," that it means he shall fold the vail a little towards the ark, so that it shall seem as a cover.

Abayi said: Rabbi, R. Joshiah, R. Jehudah, R. Simeon, and Rabban Gamaliel, the school of Shammai, R. Eliezer, and the anonymous teachers all hold that a booth must be considered not as a temporary but as a permanent dwelling. (Rashi explains that it means that it should be possible to turn it into a permanent dwelling.) Rabbi, as we have learned above, that a Succah that was not four ells square is invalid; R. Joshiah, from the statement just mentioned; R. Jehudah, as he declares valid a booth which is higher than twenty ells; R. Simeon, as he requires four walls (three as usually, and one, one span wide); Rabban Gamaliel, as he declares invalid (farther on) a booth constructed on board a vessel or on a wagon; Beth Shammai, as they declare in a Mishna, farther on, that it is invalid if it can contain a man's head and greater part of body, while his table is in a house; R. Eliezer, as he declared a Succah constructed in the shape of a pyramid is invalid; and the anonymous teachers, who declare invalid a circular Succah.

R. Johanan said: A booth which is made like a lime-kiln (*i.e.*, round), if its circumference is large enough that twenty-four

* The law of an entry with a side-beam is explained in Tract Erubin, Chap. I.

persons may sit at the walls, it is valid; but if not, it is invalid.* And this teaching is according to Rabbi, who said that a booth which is not four ells square is not considered a booth at all.

R. Levi in the name of R. Meir said: Of two booths of potters which are one within the other, the innermost is not valid for a legal booth, and is liable to have a Mezuzah, but the outermost may be used as a legal booth, and needs not a Mezuzah. Why so? Let the outer one be considered as a passage to the innermost, and a passage is not exempt from a Mezuzah? Because of both booths the outer one is only temporary, and it is exempt from a Mezuzah.

The rabbis taught: The booths of strangers, made only for the summer, booths for women (to make the toilet), booths made for animals, or booths made by Samaritans for the feast, and everything whatever called a booth is valid as a religious tabernacle, provided that it is roofed according to the Law. What is meant, "according to the Law"? Said R. Hisda: If it was roofed for this end, what is meant by the saying: "Anything whatever that is called a booth is valid"? To include the booths of shepherds, of those who watch dried figs, watchmen outside of the towns, and of those who watch fruit (all these are booths if they are roofed according to the Law, and are valid for religious purposes).

MISHNA: An old Succah, Beth Shammai hold, is not valid, but Beth Hillel hold it is valid. What is called an old Succah? One which was constructed thirty days before the festival; but if it has been constructed on purpose for the festival, even though it be one year old, it is valid.

GEMARA: What is the reason of Beth Shammai's opinion? It is written [Lev. xxiii. 34]: "The feast of the booths shall be seven days unto the Lord." From this we infer that the booths must be made for the purpose of the feast. And what would Beth Hillel say to this passage? They infer from it another theory in accordance with R. Shesheth, who says in the name of R. Aqiba: Whence do we know that the wood that was used for the booths, must not be used for another purpose all the seven days? Because it is written: "The feast of the booths shall be seven days unto the Lord." And we have learned in a Boraitha:

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* The Gemara interprets this law by a geometric calculation how much space a person needs, and the relation of a circle and a square, with illustrations, which do not belong here, and therefore we omit.

R. Jehudah b. Bethyra said: In the same manner that the name of the Lord rests on the feast-offering (and this prohibits the eating of the feast-offering till the pieces are offered on the altar), so does the name of the Lord rest on the booth, to prohibit the use of the material of which it is constructed during the seven days. But did not Beth Shammai also infer this prohibition from the same passage? Yea, we must therefore say that the reason of Beth Shammai is another passage [Deut. xvi. 13]: "A feast of tabernacle . . . seven days." Infer from this that the booth must be made for this purpose. And what do Beth Hillel infer from the above passage? They infer from it that a Succah may be made during the intermediate days also, while Beth Shammai do not allow it.

MISHNA: If one constructs his Succah under a tree, it is the same as if he made it in his house (under the roof). Should he construct one Succah above another, the upper one is valid, but the lower one is not. R. Jehudah says: Should the upper one not be inhabited, the lower one is valid.

GEMARA: Rabha said: The Mishna refers only to a tree under which there is more shadow than sunshine; but if the sunshine is more than the shadow, it is valid. And I infer this, because the Mishna teaches that a booth which was made under a tree is as if made in a house, why does it express it thus? Let it say, it is invalid? We must therefore assume that it means: As in a roofed house there is more shadow than sunshine, so is it also under a tree, under which the same is the case. But if there is more sunshine than shadow, what is the use, since the branches of the tree, which are invalid, will combine with the roofing of the booth to shut out the sunshine, and thus make the Succah invalid? Said R. Papa: The case is when one has cut off the branches. If they have been cut off, is it not self-evident that the booth is valid? One might say, we shall take a precautionary measure (lest any make it under a tree which has its branches) and he comes to teach us that such precautionary measures are not to be taken.

"*One Succah above another*," etc. The rabbis taught: It is written [Lev. xxiii. 22]: "Ye shall sit in booths." We may infer, in booths, but not in a booth which is under a booth, or under a tree, or in a house. On the contrary, it is written in the "booths" in the plural (that can mean, in this and in that)? Said R. Na'hman bar Itz'hak: It reads plural, but it is written in the singular.

What distance must be between the upper and the lower Succah, that the second should be invalid? Said R. Huna: One span, as we find this measure in the law of defilement (Ahaloth, Chap. III. 7): R. Hisda and Rabba bar R. Huna both said: Four spans. The reason is, that we do not find any distance considered to be of any significance if it is less than four spans. Samuel, however, said: Ten; and his reason is, that as to make it valid it must be no less than ten spans, so as make it invalid there must be ten spans. When R. Dimi came from Palestine, he said that in the west they so interpret: If the roof of the lower one could not bear the pillows and feather-beds of the upper one, then the lower is valid. From this we may infer that the first Tana holds that, although the lower one cannot bear the pillows in the upper one, it is nevertheless invalid? We may say that the difference between the first Tana and the sages is in a case in which the roof of the lower one could bear it, but not easily (according to him it is invalid, according to them it is valid).

MISHNA: If a cloth be spread over the (roof of the Succah as a screen) against the sun, or below (the roof, inside) to catch the falling leaves, or if one spread a cloth over a (four-post) bed-tester, the Succah is not valid, but one may spread a cloth over two bed-posts.

GEMARA: Said R. Hisda: The case is if one spread a cloth to catch leaves; but if he did it only for ornament, it is allowed. Is not this self-evident? Did not the Mishna say plainly "to catch leaves"? One might say the same is the case when it is an ornament also, but the Mishna mentioned a thing, it is usually so done; he comes to teach it is not so. It was taught: That such ornaments do not make it lower (if it was more than twenty ells high, it is not lowered thereby, or if it was ten spans they do not make it invalid). Said R. Ashi: But if the cloth was hung before a side-wall, it makes it smaller. It happened once that the shirt of Menymin, the servant of R. Ashi, was soaked in water, and he spread it on the roof of the booth to dry. Said R. Ashi to him: Take it off, for one might say, we cover the roof with a thing which is subject to defilement. But everybody will see that it is wet? I mean to say, that when it will be dry, you shall take it off.

It was taught: If the ornaments of the Succah are four spans under the roof, R. Na'hman said the Succah is valid, but R. Hisda and Rabha bar R. Huna both say it is invalid. But sages were once the guests of the exilarch, and R. Na'hman made them

sleep in a booth where the ornaments were four spans beneath the roof; and they kept silent, and said nothing. Then he asked them: Did the Masters retract their decision? And they answered: We are delegates for a religious purpose, and therefore we are free from the duty of a Succah.

R. Jehudah in the name of Samuel said: One may sleep in a nuptial bed, because its canopy is not considered as a roof (being slanting) even when it is ten spans high. An objection was raised: We have learned, who sleeps under a canopy in a booth does not fulfil his duty? There is the case when the canopy is not of a nuptial bed, but different, like a roof. Rabha bar R. Huna lectured: One may sleep under a canopy, although it is like the roof, and high ten spans; and it is according to R. Jehudah, who said that a temporary tent cannot make a permanent one be ignored, as we have learned in a Mishna. R. Jehudah said: Our custom was to sleep in the booth under the bed in the presence of the elders. But let him say: The Halakha prevails according to R. Jehudah? If he would say so, one might say it is only the case with a bed because it is made to be slept on, but not underneath it (and therefore cannot make the permanent tent ignored); but in the case of a bed with a canopy, which was made for sleeping in, it may be thought different. Therefore he teaches us there is no difference.

MISHNA: If one has trained a vine, or gourd, or ivy over the booth, and covered it, it is not valid; but should the covering be the greater part of the roof (and they the smaller part), or if they had been cut off, it is valid. This is the rule: Everything subject to defilement, and not growing from the ground, must not be used as a roof to the booth; but everything not subject to defilement, and growing from the ground, may be used.

GEMARA: R. Joseph was sitting in the presence of R. Huna, and said: To the Mishna which says, if they are cut off, the Succah is valid. Said Rabh: They (the remainder of the roof) must nevertheless be shaken (after having been cut off). Said R. Huna to him: This said Samuel. R. Joseph turned away his face from him and said: Did I say to you Samuel did not say it? I told you Rabh said, and Samuel may have said it also. Rejoined R. Huna: But I tell you that only Samuel said it, and not Rabh, because, according to the latter, it is valid without shaking, as it happened once that R. Amram the Pious made fringes [Num. xv. 38] on the garment of his wife, but he did not cut asunder the heads of the thread; and later, when he came to ask about

it, R. Hiya b. Ashi said to him: So said Rabh: The cutting asunder of the thread, this makes the fringes lawful. From this we see that according to Rabh the cutting off makes it valid, though nothing but this was done. And the same is the case here also. Cutting off makes valid. Shall we assume that the point of difference between the Tanaim of the following Boraitha is the same as that of Rabh and Samuel? Namely, we have learned in an addition to the Mishna: If a myrtle bough has more berries than leaves, it is invalid till the latter are made fewer; but it is not allowed to do so on a festival (Succah, Chap. III.). If, however, one transgressed, and cut off the berries on a festival, the myrtle bough is invalid according to R. Simeon b. R. Jehozodok, but is valid according to the sages. Now, the schoolmen thought the point on which R. Simeon and the sages differ is whether the cutting is a final preparation, for they thought all agree that the Lulab should be tied together n the beginning with the other branches, drawing a lesson from the Succah, about which it is said: "Ye shall *make*," *i.e.*, you shall commence to make, but not use what is made already. And R. Simeon says it is invalid, because he does not regard the cutting as a final preparation, and the Lulab, being tied with an invalid myrtle, is invalid; but the sages hold the cutting is a final preparation, and therefore the Lulab is valid. Hence the point whereon they differ is the same as that whereon Rabh and Samuel differ: whether the cutting off is a final preparation (and then shaking is not needed) or not. Nay, all agree that the cutting off is *not* considered a final preparation, but R. Simeon and the sages differ whether the Lulab has to be tied together at all, or not; R. Simeon maintains that it must, and the sages say, it must not; as we find in a Boraitha that the sages make no difference whether it was tied or not, and only R. Jehudah maintained that if untied it is invalid. But according to whom would be the following teaching: There is a merit in tying the Lulab; it is, however, valid if it is untied? This is in accordance with the rabbis, and the merit is because it is nicer when tied, as it is explained elsewhere that the word [Ex. xv. 2] ואנוהו means, "beautify your religious performances for the Lord's sake."

"*This is the rule: everything subject to defilement*," etc. Whence is all this deduced? Said Resh Lakish: It is written [Gen. ii. 6]: "But there went up a mist from the earth." As a mist is not subject to defilement, and ascends from the earth, so also must the Succah be a thing not subject to defilement,

and growing from the earth. This would be right according to those who said that the booths in the desert were of clouds of glory; but according to those who say that they were ordinary booths, what can be said? Namely, as we learn in the following Boraitha: It is written [Lev. xxxiii. 43]: "I caused the children of Israel to dwell in booths": these were clouds of glory, R. Eliezer said. But R. Aqiba said: They were ordinary booths. Said R. Ashi: It is written [Deut. xxi. 13]: "Of thy threshing-floor and wine-press." *Of* thy threshing-floor, but not the threshing-floor itself; *from* thy wine-press, but not the wine-press itself. R. Hisda said: From the following passage [Nehem. viii. 15]: "Go forth unto the mountain and fetch olive leaves, and oleaster leaves, and myrtle leaves, and palm leaves, and leaves of the three-leaved myrtle, to make booths, as it is written." Are not the leaves of the myrtle and those of the three-leaved myrtle the same? Said R. Hisda: The myrtle leaves for the Succah, and the three-leaved myrtle for a Lulab.

MISHNA: Bundles of straw, of wood, and of twigs must not be used to cover the Succah; all of these are become valid, however, if the bundles are loosed. As side-walls, however, all of these may be used.

GEMARA: R. Jacob said: I have heard from R. Johanan two things which he explained to me, namely: the above Mishna, and the Mishna farther on, "Should one hollow out a space in a stack (of sheaves) to use it as a Succah, it is not considered such." Of one of them he says the reason is that it is only a precautionary measure, lest one make his storehouse for a Succah, which biblically is allowed; and of the other he said the reason is, because it is written: "Ye shall make," from which we infer, it must not be ready-made (and this is biblical). But I don't know for which Mishna the reasons are respectively given. Said R. Jeremiah: Let us see. R. Hiya bar Abba said in the name of R. Johanan: Why is it prohibited to cover with bundles of straw, wood, or twigs? Because it may happen a man comes from the field in the evening with his bundle on the shoulder and puts it on the roof for the purpose of drying, and later he resolves to leave it there as a roof to the booth, and it is said, "Ye shall make it," but not have ready-made. Now, as we see that the reason for this is biblical, that for our Mishna must be a precautionary measure. Then why was R. Jacob doubtful? Because he had not heard the saying of R. Hiya in R. Johanan's name. Said R. Ashi: What is the difference? Does,

then, the law, "shall make," apply only to our Mishna, and not to the other Mishna farther on, or does the precautionary measure apply only to the other Mishna, and not to ours? Both are alike (and why, then, does he make a difference between them?). R. Johanan can say that his teaching is correct, because our Mishna states, they must not cover it; that means, to commence it, and it is a precautionary measure, but if he has covered, it is valid. But there it is said, It is not a Succah, even after it has been covered; it is even biblically not a Succah.

Said Rabha bar bar Hana: I have heard in the name of R. Johanan three things: If he has roofed it with bundles of flax it is invalid, but if with unsoaked flax, it is valid; and as for Hushne [meaning uncertain] flax, I am in doubt about it. Rabha bar bar Hana added to this: What he meant by *Hushne* flax, I don't understand. Does he mean, flax soaked and dried, but not brushed; or brushed already, but not made into bundles?

R. Hanan bar Abba said: With thorns and weeds a Succah may be covered. Abayi, however, said, if they have no leaves, one may; but if they have leaves, one must not. Why so? Because, when the leaves fall down, this will trouble him, and he will leave the booth and go out. R. Gidl said in the name of Rabh: The roots of a tree may be used to cover with, although they are intertwined, because a bundle made by nature is not called a bundle. And even if he tied together the extremities, he may nevertheless use them, because as at the base they intertwine naturally, the bundle at the top is not considered such.

R. Hisda in the name of Rabbina b. Shila said: Branches (stalks) of *διχρα* may be used for covering, though they are intertwined, because a bundle made by nature is not considered as a bundle. And although one ties them together himself, he may nevertheless use them, because as at the base they intertwine naturally, the bundle at the top is not considered such. So also we have learned in a Boraitha: The stalks of *διχρα* may be used as covering.

Maremar lectured: The bundles they sell out in the market in Syria may be used to cover, although they are tied together, because they tied them only to know the number. Huts of reeds, used by fowlers, if they are untied at the top, may be used as a covering for a booth although they are yet tied together below? Said R. Papa: One loosens them at the bottom also. R. Huna the son of R. Joshuah, however, said: Even if they

were not untied at the base, they also may be used, because a bundle that cannot hold together is not called a bundle.

R. Abba said in the name of Samuel: If of herbs by which the sages said a man can fulfil his duty to eat bitter herbs on Passover was made a tent, they bring defilement, when a corpse or part of a corpse was in it, to all vessels that are in the tent; but if a partition was made of them they do not prevent the defilement to spread further, and if they are used to cover a Succah, they make it invalid, because when they become dry they crumble and fall. Therefore, even if they are wet, they are considered not to exist at all, and in place of a roof an empty piece of space.

MISHNA: One may cover with thin boards, according to R. Jehudah, but R. Meir prohibits it. If one has put a deal board four spans wide over the booth, it is valid, provided that one sleep not under it (the board).

GEMARA: Said Rabh: They differ only about boards that are four spans wide. R. Meir prohibits it as a precautionary measure, lest he come to make a ceiling, and R. Jehudah does not take this measure; but if they were less than four spans, all agree that it may be used. Samuel, however, says, on the contrary: They differ only if it is less than four spans; but if more, all agree it is prohibited. If it is less than four spans and even less than three (they differ), how can it be? Is it not considered a stick? Said R. Papa: Samuel meant to say thus: If it is four spans, all agree it is not valid; less than three, all agree it is valid. They differ only from three to four; one holds because it is not of the prescribed size (four spans), it is valid, because they are considered as sticks; and another holds, as it is more than three, to which the theory of Lavud cannot apply, we take the precautionary measure. Come and hear: Two sheets, if put in the middle of the roof, each of which is less than four, but whose combined width is four spans or more, make the booth invalid; but two boards of the same sizes do not combine to make it invalid. R. Meir, however, said: The same is the case with both. It would be right according to Samuel, who said that they differ when it is less than four spans; but if it is four spans, all agree it is invalid, because then it would be explained that the combined width makes the Succah invalid if it is on the side of the roof (attached to a wall), and their combined width is four ells, not four spans (for otherwise, if the roof is by the wall, it is valid up to four ells because it is considered as a crooked wall continued). But

according to Rabh's opinion, this can be only according to R. Meir; but according to R. Jehudah, what can be meant by the expression "combined width," since according to him, if they are less than four spans, they are considered sticks? R. Jehudah does not mean combined width, but only uses the same expression as R. Meir (without a particular meaning).

We have learned in a Boraitha according to Rabh, and in another Boraitha according to Samuel: according to Rabh, if one has covered the Succah with boards of cedar that are less than four spans wide, all agree they are valid; but if they are four spans, R. Meir makes it invalid, and R. Jehudah makes it valid. Said R. Jehudah: It happened once, in a time of danger, we brought boards four spans wide, and roofed a balcony and used it as a Succah, and the sages answered him: A dangerous time does not prove. According to Samuel: If one has roofed the booth with cedar boards four spans wide, all agree it is invalid; if less, according to R. Meir, it is invalid; according to R. Jehudah, valid. R. Meir agrees, however, that if there was between one board and the other the width of a board, one may lay between anything fit, and the Succah is valid. And R. Jehudah agrees, that if one board was wide four spans, it is valid, but one must not sleep under it, and who does so does not fulfil the duty of a Succah.

It was taught: If one placed the boards on their edges on the Succah, R. Huna said the booth is invalid, but R. Hisda and Rabba bar R. Huna both said it is valid. It happened once R. Na'hman came to Sura: R. Hisda and Rabba bar R. Huna visited him and asked him the law about the boards in question, and he said: They are considered as iron spits, and certainly invalid. Said R. Huna to them: Did I not tell you that R. Na'hman agrees with me? And they answered him: Did the Master explain to us the reason of this, and we did not accept it? Rejoined R. Huna: Did you ask me for the reason, and I did not tell it to you?

MISHNA: If small rafters, over which is no ceiling, are to be used for a booth, R. Jehudah says: Beth Shammai hold, the rafters must be loosened, and the middle one out of every three removed. But Beth Hillel hold: One must either loosen them, or else remove one of every three. R. Meir says: One must remove one out of three, but one need not loosen.

GEMARA: It is right according to Beth Hillel, as their reason is because it is written: "Ye shall *make*," and not have

ready-made. Hence either of the two is sufficient. But what is the reason of Beth Shammai? If the reason is the same, why must he do both? Is not one sufficient? It is as a precautionary measure, and Beth Shammai meant to say thus: Although one has loosened, it is not valid until he removes one of every three. If it is so, then Beth Shammai said the same as R. Meir. R. Meir meant to say, Beth Shammai and Beth Hillel did not differ, if one has removed same, though they were not loosened.

MISHNA: If one roofs his booth with iron spits, or with boards of a bedstead, if there is as wide a space between them (covered with anything fit) as one of them, it is valid. If one should hollow out a space in a stack (of sheaves) to use it as a Succah (although of the prescribed size), it is not considered as a Succah at all.

GEMARA: Shall we assume that the decision of R. Huna the son of R. Joshuah, who says, that if the open spaces of a fence equal the fence proper it is not valid (Erubin, p. 35), contradicts this Mishna? R. Huna can explain the Mishna, that it means an interspace a trifle wider than the spit or board itself, so as to allow it to be taken out and replaced without difficulty. But can it not be made precisely to fit? (Rashi explains this question thus: At the first glance the answer of R. Huna is that, whenever the thing is mentioned to be of the same width, it is meant to be a trifle less wide, so as to be removed without difficulty: and to this comes the question, why should it be so made? can it not be made to fit precisely? And to this question the answer of R. Ammi will be farther on. But Tospheth oppose to this another explanation, which is still more complicated, and we have therefore translated the text literally.) Said R. Ammi: Yea, but this Mishna means, it is only valid then, when it is a trifle more. Rabba, however, said: The Mishna can be explained even if it was precisely; but if it was laid lengthwise, it should be placed crosswise, and *vice versa* (and above them the lawful roofing, so that the fit must be more than the unfit roofing, and thus the fit portion above neutralizes the unfit portion below).

"*With boards of a bedstead.*" Shall we assume that this is a support to R. Ammi bar Tibiumi, who said that if one covered the Succah with broken utensils it is invalid? Nay, the Mishna can be explained as R. Hanan said in the name of Rabbi. If the side-board of the bedstead was laid with two short boards, or two short boards with the side-board, which is subject to defilement (as will be explained, Kelim, Chap. XIX. 9). What is meant

by broken utensils? Said Abayi: Remnants of silken togas, that measure less than three fingers square, and are of no value to either rich or poor (Sabbath, p. 272). We have learned in a Boraitha in accordance with R. Ammi bar Tibiumi: The remainders of a mat of bark or reeds, although they are less than of the prescribed size to be subject to defilement, must not be used to cover a Succah. A mat of sticks, if it is large, may be used to cover it (because a large one is only made for a covering, and is not a utensil subject to defilement); but if small, it may not. R. Eliezer, however, said, that even a large one is subject to defilement, and may not be used.

"*If one should hollow*," etc. R. Huna said: The case is, when there is no hole of the size of one span in length by seven in width; but if there was, it is a Succah.* We have learned so also in a Boraitha: If one hollows out a space in a stack to use it as a Succah, it is a Succah. And this Boraitha must be explained as the decree of R. Huna to prevent the contradiction to our Mishna.

MISHNA: If one suspends textile walls from the roof downwards, if they do not reach the ground within three spans, it is invalid. If they stand on the ground and are high ten spans, it is valid. R. Jose, however, said: Even when the walls do not reach the ground by more than three spans the law of ten spans applies to both cases (and in either case it is valid).

GEMARA: On what point do they differ? One holds that a hanging partition makes the Succah valid, and the other that it does not. We have learned in the Mishna in Erubin, Chap. VIII. p. 206, concerning a wall that was between two courts and a partition was made, and R. Jehudah said there: The partition is not more effectual than the wall which is between them. Said Rabba bar bar Hana, in the name of R. Johanan: R. Jehudah's decree there is of the same system as R. Jose's in our Mishna, who says that a hanging partition makes valid. In reality, however, it is not so. R. Jehudah does not agree with R. Jose, and *vice versa*. Because R. Jehudah, who allows it there, does so because Erubin of the courts are rabbinical; but here, in the case of the Succah, which is biblical, he would not allow it. And, on the contrary, R. Jose,

* The reason is because a hole of a span constitutes a legal tent in the law of defilement, and the covering above it is called roofing. Now, if one enlarged this hole to the size prescribed for a Succah, from the base upwards, so that he diminished the covering, he is considered to have made a new roofing and thus a new tent for this purpose, and it is a valid Succah. (Rashi.)

who allows it here, does it because the Succah is only a positive commandment; but concerning Sabbath, where there is a capital punishment, he would not allow it. And if it be asked, What happened in Ziporeth (which will be related farther on), according to whose opinion was it? Not according to R. Jose, nor in accordance with R. Jehudah, but according to R. Ishmael bar Jose. Namely: When R. Dimi came from Palestine, he told that it happened once (in Ziporeth) that they had forgotten to bring the holy scrolls on the eve of Sabbath, and on the morrow they put sheets on the pillars and brought the holy scrolls, and read them (and these hanging partitions were made at the command of R. Ishmael).

R. Hisda in the name of Abimi said: A mat which is large four spans and a trifle can be used as a side-wall to the Succah. How shall it be placed? It shall be hung in the middle, less than three spans from the ground, and less than three spans from the roof, because we apply the law of Lavud to both places. Is not this self-evident? One may say that two Lavuds in one case do not apply, he comes to teach us that we may.

MISHNA: If the roof is three spans distant from the walls, the Succah is invalid. If the roof of a house was broken, and it was covered, then if there are four ells between the wall and the covering, it is invalid; but if less it is valid. The same is the case with a court surrounded by balconies. If the top of a large Succah was covered with something unfit, if it is distant four ells it is not valid.

GEMARA: Rabha said: I once found the rabbis of the college sitting and declaring: Air makes the Succah invalid with three spans, but unfit covering makes it invalid only with no less than four ells; and I said to them: Where do you find that air makes invalid with three spans? In our Mishna, which teaches if the roof was at a distance of three spans it is invalid? Then, learn also from it that unfit covering should not make the Succah invalid if it is less than four *ells?* as it teaches farther on, that a house whose roof was broken, and it was covered in the middle, if there is from the covering to the wall four ells, then it is invalid? And they answered: Leave alone this teaching, because Rabh and Samuel both said that this teaching is only because we consider it as a crooked wall. And I rejoined: If it is so, what would be according to your opinion? If there would be air less than three spans, and unfit covering less than four ells, in the same place, it certainly would be valid; but if one covered the

vacant space with iron spits, it would make it invalid. Now, the air, which is so rigorous that it makes invalid by three spans, will not be equal to an invalid covering which is so lenient that it makes invalid only by four ells? And they said to me: And according to your theory, that unfit covering makes invalid only when it is four ells, how would the case be if empty air less than three spans were added to it? Would it not be valid? But if one puts iron spits over the empty place, would it not make it invalid? Now, then, does not the same question apply to your theory also? And I rejoined again: What comparison is this? In my opinion, unfit covering makes invalid with four ells, because that is the prescribed quantity, and the same is with air; and as both quantities are not equal, they do not combine together to make the Succah invalid. But according to your opinion, that the reason is not because it is a prescribed quantity, but because the roof is separated from the wall, then the question is, what is the difference whether it be separated from the wall by air less than three spans and unfit covering, or by iron spits and unfit covering? Said Abayi to him: And even according to the Master's opinion, that because the quantities are not equal they do not combine, this can be said only of a large Succah, where unfit covering makes not invalid unless it is four ells; but in a small Succah, where unfit covering makes it invalid with three spans, are not the quantities then equal? Consequently they must combine, even in a large Succah. Answered Rabha: In a small Succah it is not because the prescribed quantities are equal, but because the prescribed size for a Succah does not remain.

Abayi said: If there was air three spans wide in a large Succah, and one diminished it by sticks or iron spits, it is considered as diminished; but if it was a small Succah, if with sticks it is lawful, but with iron spits it is not. But this is the case only when it is near the wall. If in the middle of the roof, however, R. A'ha and Rabina differed: According to one, the law of Lavud applies also in the middle, and according to the other it can only be applied when they are at the side.

R. Jehudah bar Ilai lectured: If the roof of a house was broken, and one covered it with fit covering, it is valid for a Succah. Said R. Ishmael bar Jose to him: Rabbi, explain your decision, because my father had explained thus: If it is less than four ells from the wall, then it is valid; but if four or more, it is invalid. Again lectured the same: An *abruma* (a small fish not distinguishable from prohibited reptiles) is permitted. Said R. Ish-

mael to him: Rabbi, explain the decision, for so said my father: From one place it is permitted, from another it is not. Accordingly, Abayi said: The small fish called Tza'hntha (smelt), of the river Bab, are permitted (and from another not).

It was taught: If one has covered a balcony which has small pillars (less than three spans one from the other), it is valid for a Succah: but if it has no pillars, Abayi said it is valid, because the edge of the roof downward may be considered as making (forming) a wall; but Rabha said it is invalid, because he does not hold this theory. Said Rabha to Abayi: According to thee, who holdest this theory, even if the middle wall of the Succah was broken, let it also be valid, as the edge of the roof is considered to descend and make a wall. Said Abayi: I yield to thee in this point, because it looks like an open entry. An objection was raised from our Mishna: If a court is surrounded by balconies, etc., why? Let it also be considered that the edge of the roof makes it a wall? Rabha explained, in accordance with Abayi's opinion, that the case is that the edge projected not over the wall, but was even with it.

R. Ashi found R. Kahna, who had roofed a balcony that had no small pillars, and he asked him: Does not the Master hold what Rabha said, that when there are no pillars the Succah is invalid? And he took him outside and showed him that there were pillars not visible inside, but only outside; and it was taught in Erubin (p. 17), if it was seen from outside, and not from inside, it is regarded as a side-beam, and a side-beam is the same as a small pillar.

A Boraitha taught: A vestibule, outside of the booth, is considered as the booth itself. What is meant by this? Said Ullah: A vestibule formed by sticks projecting beyond the Succah. Are not three walls needed? When there are. But is it not needed that there be more shadow than sunshine? If there was. But is not a prescribed size needed? If it was. If so, what comes he to teach us? Lest one say, that because the Succah was made for sitting inside, shall the outside not be considered a Succah at all, he comes to teach us it is not.

MISHNA: If one makes a Succah in the form of a cone, or leans the roof against a wall, R. Eliezer says it is not valid, because it has no roof; but the sages declare it is valid.

GEMARA: A Boraitha taught: R. Eliezer admits, if one placed it one span over the ground, or separated it one span from the wall, the Succah is valid. What is the reason of the sages?

for the theory of Lavud applies to them, and they are regarded as upright. They hold that the slanting parts of a tent are considered as the tent itself. Abayi found R. Joseph sleeping in a nuptial bed in a Succah. Said Abayi to him: According to whom do you do so? According to R. Eliezer? Then you left the majority of rabbis, and followed an individual. Answered he: The Boraitha teaches the contrary: That R. Eliezer makes it valid, but the sages say it is invalid. Rejoined Abayi: Then you leave a Mishna, and act according to a Boraitha. And he answered: The Mishna is written according to an individual's opinion, as we have learned in a Boraitha: if one makes a booth in the form of a cave, or leans the roof on a wall, R. Nathan said that R. Eliezer makes it invalid, because it has no roof, but the sages permit this.

MISHNA: A large reed mat made for sleeping on is subject to defilement, and a Succah must not be covered with it; but if it was made to cover a booth, it may be used, and is not subject to defilement. R. Eleazar said: There is no difference whether it is large or small, but only the use for which it was made is considered; if for sleeping, then it is subject to defilement, and must not be used; but in the other case, if for covering, it is not subject to defilement, and may be used.

GEMARA: Did not the Mishna contradict itself? In the first part it says, if it was made for sleeping, then it is subject to defilement, etc., but if the purpose for which it was made was not expressed, it must be considered as for a covering. And the second part says, "If it was *made* for a cover"; from this we may infer, if the purpose was not expressed we consider it for sleeping? Said R. Papa: In case of a small one, if the purpose was not expressed, all agree it may be considered as for sleeping; but in case of a large one, the first Tana holds that where no purpose was expressed it is considered to have been made for covering. But R. Eliezer holds, that even a large one is also usually made for sleeping, and the expression in the Mishna, "if it was made for sleeping," is to be explained so: if it was made, say it is for the purpose of sleeping, unless he expressed another purpose.

The rabbis taught: A mat made of bark or papyrus, if large, may be used for a cover; but if small, it may not. If it is of reeds, or *hilath*, a large one may be used for covering; but if they are woven together, it may not. R. Ishmael bar Jose said in the name of his father: Both may be used to cover, and the same said R. Dosa.

We have learned (Edioth, III. 4): "All hutzlahs* are liable to become unclean from a corpse, so is the decree of R. Dosa; but the sages said: They are liable to become unclean only by pressing." What are *hutzlahs?* Said R. Simeon bar Lakish: It means ordinary mats, and the same is according to his theory elsewhere, where he said: I would sacrifice myself to bring back to life R. Hiya and his children, because in the ancient time, when the Torah was forgotten by Israel, Ezra came from Babylon, and reëstablished it again; when afterwards it was again forgotten, Hillel the Babylonian came up from Babylon and restored it again; and when it was again forgotten, came R. Hiya and his children and restored it again. And they said to this: That R. Dosa and the sages did not differ about the mats of the city of Usha, that they are subject to defilement, and that the mats of Tiberia are not; what they do differ about is the mats of other places: one holds that because nobody sits on them, they are equal to those of Tiberia; and the others hold that because it can happen that somebody should sit upon them, they are equal to the mats of Usha.

We learned in a Boraitha: R. Hananiah said: When I came into the exile, I found an old man who said to me that to cover a Succah with a mat is lawful; afterwards, when I came to R. Joshuah my father's brother, he admitted this theory. Said R. Hisda: This is only when it is not seamed. Said Ullah: The mats from the city of Mehuzah, but for their seams, would be lawful to be used for covering. So also we have learned in a Boraitha: Mats may be used for covering, provided they have no seams.

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* See Levi's Dictionary.

## CHAPTER II.

### REGULATIONS CONCERNING THE SITUATIONS IN WHICH A BOOTH MAY BE PLACED, WHAT MUST BE DONE IN IT, ETC.

MISHNA: He who sleeps under a bed in the booth has not fulfilled his duty (of sleeping there). Said R. Jehudah: We were in the habit of sleeping under a bed in the presence of the elders, and they never said anything to us. Said R. Simeon: It happened that Tabbi, the slave of R. Gamaliel, used to sleep under a bed. But R. Gamaliel said to the elders: Do you see my slave Tabbi? He is a scholar (Talmud Hakham), and knows that slaves are exempt from the duty of Succah. Therefore he sleeps under a bedstead. From this we infer that he who sleeps under a bed has not fulfilled his duty.

GEMARA: Why? The bed is usually not ten spans high? Samuel explained this, that the case is when the bed is high ten spans. (But if so,) what is the reason of R. Jehudah's decree? This is according to his theory elsewhere, that the Succah must be a permanent dwelling, and the bed is only a temporary dwelling, and a temporary dwelling cannot make ignored a permanent one. But did not R. Simeon hold the same theory, that a Succah must be a permanent dwelling (because his decree is that it must have four walls), and nevertheless he does not allow to sleep under the bed? This is the point of their difference: according to R. Simeon a temporary dwelling makes ignored, and according to R. Jehudah it does not.

"*It happened once that Tabbi the slave*," etc. We have learned in a Boraitha: R. Simeon said: From R. Gamaliel's remarks we have learned two things: That slaves are free from the duty of a Succah, and that one who sleeps under a bed has not fulfilled the duty of Succah. Let him say, "from R. Gamaliel's decree," he comes to teach us by the way that R. A'ha bar Adda, according to others the same in the name of R. Hamnuna, quoting Rabh, said: Whence do we know that even a remark of a scholar must be studied? Because it is written [Ps. i.] "And the leaf does not wither," even a slight thing as a leaf is not valueless.

MISHNA: If one supports his Succah with a bedstead, it is valid. R. Jehudah said: A Succah that cannot stand by itself is invalid.

GEMARA: What is the reason of R. Jehudah's decree? R. Zera and R. Abba bar Mamel differed: One says: Because so it is not made a permanent dwelling; and one says: Because he supports it with a thing subject to defilement. What is the difference? If one put iron spits and covered it, according to them who say because it is not permanent, the iron spits are permanent; but according to those who say because he supports with a thing subject to defilement, the iron spits are subject to defilement, and are invalid. Said Abayi: They differ only if he supports the booth with the bedstead; but if he has roofed the bed itself, all agree it is valid. Why so? Because to them who say, because it is not permanent, it can be said the bed is permanent; and to them who say because he supports with a thing subject to defilement, it can be said the roof is not subject to defilement.

MISHNA: A Succah covered thinly, if there is more shadow than sun, is valid; if the covering is close, like the roof of a house, though the stars are not visible through it, it is nevertheless valid.

GEMARA: What is meant by thin covering? Said Rabh: Scanty covering (too much empty space between one stick and the other). And Samuel said: Irregular covering—one twig down, one twig up, that is. Rabh interpreted that the Mishna teaches only one case, a poor Succah, in which there is more shadow than sun, is valid; and according to Samuel, the Mishna teaches two things: first, that a Succah with an irregular covering is valid; and secondly, that all Succahs where the shadow is more than the sunshine are valid. Said Abayi: The Mishna refers to a case where there is not three spans distance from one twig to the other; but if there is, it is invalid. Rabha, however, said: Even if there were three spans between, provided the twig was not wide at the top a span, it is invalid; but if it was, it is valid, because we say: *Havit rami*,* and it is valid.

"*If there is more shadow than sun.*" From this we may infer, that if they were equal, it is not valid; but in the first chapter

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* This expression has the same meaning as *gud achith*, explained in Erubin, p. 6, and means, if the twig was a span at the top, it is considered whether the top lies over the empty place. And Rashi explains this, that the twigs were not lying but standing upright, and therefore the top when wide a span is considered to be lying.

the Mishna teaches, if the sunshine was more than the shadow it is invalid, from which we may infer that if they were equal it *is* valid? It presents no difficulty. If on the top the empty place was equal to the covering, because on the ground the sunshine would appear larger; but if on the ground the sunshine and the shadow are equal, it is valid, because then on the top there must be more covering than empty space. Said R. Papa: This is according to what people say: If on the top it is of the size of a Zuz, it appears on the ground the size of a Sela.*

"*If close like the roof of a house.*" The rabbis taught: If it was close as a roof of a house, although the stars cannot be seen through it, it is valid; but if the rays of the sun do not penetrate, Beth Shammai hold it is not valid, and Beth Hillel hold it is.

MISHNA: If one constructs a Succah on the top of a wagon, or on board a vessel, it is valid, and he may ascend thereto on the festival. If he has constructed the Succah on the top of a tree, or on the back of a camel, it is valid; but he must not ascend thereto on the festival days. If two walls are formed by a tree, and one by human hands, or two by human hands and one by a tree, the Succah is valid, but one must not ascend thereto on the festival. This is the rule: Whenever the Succah can stand by itself, even should the tree be removed, the Succah is valid, and it is lawful to ascend thereto on the festival.

GEMARA: This Mishna is in accordance with R. Aqiba only, as we have learned in a Boraitha: If a Succah was made on a ship, Rabban Gamaliel makes it invalid, and R. Aqiba makes it valid. It happened once that Rabban Gamaliel and R. Aqiba were on a ship, and R. Aqiba constructed a Succah on the ship. On the morrow a wind blew it off, and Rabban Gamaliel said to him: Aqiba, where is thy Succah? Said Abayi: If the Succah cannot withstand an ordinary wind from land, all agree that it is not a Succah at all; if it can hold out a storm on land, all agree it must be regarded as a Succah; but if it can hold out an ordinary wind from land, but not an ordinary wind from the sea, there is the point of their difference: R. Gamaliel holds it must be a permanent dwelling, and as it cannot withstand an ordinary wind from the sea, it is not considered as anything; but R. Aqiba holds that only a temporary dwelling is needed, and so soon as it is proof against an ordinary wind from land, it is called a temporary dwelling.

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* Two coins, the first a small one, the second very large.

"*Or on the back of a camel.*" The Mishna is in accordance with R. Meir. as we learn in the following Boraitha: If one has made his Succah on the back of an animal, it is valid, according to R. Meir; but not according to R. Jehudah. What is the reason of R. Jehudah? Because it is written [Deut. xvi. 13]: "The feast of tabernacles shalt thou hold seven days." From this we infer that a booth fit for all seven days may be called a Succah, but not otherwise (and as the sages prohibited to mount an animal on the festival, it is not fit for the first day of the festival). But what would R. Meir answer to this? Biblically it is fit, but only the rabbis prohibited as a precautionary measure to mount an animal (and if biblically fit, it is called a Succah).

If the animal was used as a wall to the Succah? R. Meir makes it invalid, and R. Jehudah makes it valid. Because R. Meir used to say: All things which have life must not be made a wall to the Succah, nor a side-beam to an entry, nor an enclosure to a well, nor a covering of a grave; and in the name of R. Jose the Galilean it was said: Also, a letter of divorce must not be written on it. What is the reason of R. Meir? Abayi said: Because it may die. R. Zera said: Because it can run away. If an elephant were tied to a wall and used as a wall, all agree it is valid, because, even if it should die, its carcass measures more than ten spans. In what they differ is, when the elephant is not tied: according to them who fear its death, it is valid; but according to those who fear its flight, it is not valid. But did Abayi say that R. Meir feared its death, and R. Jehudah did not? Have we not heard the contrary from him in Gittin, that R. Meir feared it, and R. Jehudah did not? Read these conversely: Abayi said R. Meir feared its death, and R. Jehudah did not. But did we not learn in Tract Yomah, R. Jehudah declares: To the high-priest another wife must be prepared for the Day of Atonement, lest his wife die? (So he apprehends death.) Is it not taught, in addition to the same Mishna: R. Huna the son of R. Joshua said, that for forgiving the sins an exceptional rule was made?

Let us see: According to both sages — who apprehend death or flight—biblically it is valid as a wall; and only as a rabbinical precautionary measure is it forbidden. Why is it not subject to defilement when it covers a grave, according to R. Meir? Said R. A'ha bar Jacob: R. Meir holds that all partitions not made by human hands are not called partitions at all.

MISHNA: If one makes a booth between trees which form side-walls, it is valid.

GEMARA: A'ha bar Jacob said: All partitions that are not proof against an ordinary wind are not partitions at all. An objection was raised from our Mishna, which teaches that if the trees were used as walls, it is valid; but did not the trees shake by an ordinary wind? The case is, when they are old trees. But even if old trees, are there not branches? If one *weaves* the branches into the walls. If it is so, what does he come to teach us? Is it not self-evident? One might say that perhaps it shall be prohibited as a precautionary measure, lest on the festival he climb the tree, he comes to teach us that such a measure is not taken.

MISHNA: Delegates for a religious purpose are free from the duty of Succah; also sick persons, and those who nurse them. One may occasionally eat or drink something outside of the booth.

GEMARA: Whence do we deduce this? From what the rabbis taught: It is written [Deut. vi. 7]: "When thou sittest in *thy* house": that means, except when thou art occupied by a religious observance; [ibid.] "When thou walkest by the way" means, except when thou goest to marry. From this is said, that he who marries a virgin is exempt, but he who marries a widow is not. But how can this be inferred? Said R. Huna: From the expression "on the way," as one goes on the way, means as a voluntary act, and this is to exclude one occupied by a religious duty. R. Abba bar Zabda said in the name of Rabh: A mourner is not exempt from the duty of the Succah. Is not this self-evident? One might say, because the same authority says elsewhere that one who is afflicted by something is exempt from the duty of Succah, and a mourner is certainly afflicted, one might say that he is exempt, he comes to teach us that it is when the affliction is caused by the Succah; but here, when he afflicts himself, he must divert his attention, and fulfil the duty of Succah. The same says again in the name of Rabh: A bridegroom and his *attendants* and all who belong to the wedding-party are exempt from the Succah all the seven days. Why so? Because they must enjoy themselves. But let them enjoy themselves in the Succah? No enjoyment can be had outside of the house where the wedding is. But let them eat in the Succah and enjoy themselves in the house. There is no enjoyment except where the banquet is. But let the house where the wedding takes place

be made in the Succah? Abayi said, it cannot be made, because the bride must not be left with strangers; and Rabha said, because the bridegroom will find it inconvenient. What is the difference? when even in the house, where men come in and go out, they are not in privacy, but it is inconvenient. According to Abayi, it may be made in the Succah, and according to Rabha it may not. R. Zera said: When I was a bridegroom, I ate in the Succah, and enjoyed myself in the bride's house, and I enjoyed myself the more because I fulfilled two religious duties.

The rabbis taught: A bridegroom and his attendants and all the wedding-party are exempt from prayers, from phylacteries, but they must read Shema. In the name of R. Shila it was said: Only the bridegroom is exempt, but all the others are not. A Boraitha states, R. Hanania b. Akabia said: Writers of the holy scrolls, or tefilin, or mezuzoth, they and the wholesale sellers and the retail sellers, and all men engaged in work for Heaven, including also the sellers of blue threads for tzitzith, are exempt from the reading of Shema, from praying, from tefilin, and all the religious duties commanded in the Torah. He said so to confirm the words of R. Jose the Galilean, who said: Who is engaged in one religious work, is free from another one.

The rabbis taught: Those who are on the road in the day are exempt from the duty of Succah during the day, but not during the night; and if they travel by night, it is conversely. If they travel during both, they are exempt wholly. But who goes on a religious mission, is exempt from the duty of Succah both by day and by night. As it happened, R. Hisda and Rabha bar R. Huna coming on a Sabbath falling on one of the intermediate days, to the exilarch to hear his lecture, they slept on the bank of a river of Sura. They said, we are delegates for a religious purpose, and exempt from the duty of Succah.

The rabbis taught: The watchmen of a tower who watch by day are exempt from the Succah by day, but not by night; and those who watch by night are exempt for the night, and those who watch during both are entirely exempt. Those who watch gardens and vineyards are exempt from the Succah by day and by night. But let them make the booths there, and sit in them? Said Abayi: It is written: "Ye shall dwell in booths." It must be where the dwellings are. And Rabha said: The hole brings the thief (*i.e.*, he will not be able to watch carefully). What is the difference? When the whole of the fruit would be visible from his position in the Succah (he should sit in one).

"*Sick persons and their nurses.*" The rabbis taught: Not only those who are dangerously sick, but if there is no danger, if one has sore eyes or a headache, he is also exempt. R. Simeon b. Gamaliel told: It once happened I had sore eyes when I was in Cæsarea (Kisrin), and R. Jose the Great allowed me and my servants to sleep outside of the Succah. Rabh, however, allowed R. A'ha of Bardla to sleep under a canopy in a booth (though ten spans high), to prevent mosquitoes. Rabha allowed R. A'ha bar Ada to sleep outside of the Succah, because it was freshly whitewashed. And Rabha acted according to his theory elsewhere, that whoever suffers is exempt. But have we not learned in our Mishna that only sick persons are exempt, and we may infer, not those who are in sorrow? Nay, in case of a sick person, he and his nurses are exempt, but he who is in sorrow may only himself stay out, not his servants.

"*Men may occasionally eat*," etc. What is meant by something? Said R. Joseph: Two or three eggs. Said Abayi to him: But many times a man finds three eggs sufficient for a meal? Therefore said Abayi: As much as a young scholar partakes before he goes to hear the lecture.

The rabbis taught: One may eat a hasty meal outside of the Succah, but one must not take a nap outside. Why so? Said R. Ashi: As a precautionary measure, lest he fall profoundly asleep for the whole night. Said Abayi to him: If it is so, why does a Boraitha allow a man to take a nap with his tefilin on, but not to sleep long? Let it be apprehended lest he fall asleep? Said R. Joseph bar Ilai: This is the case when he has engaged a man to wake him up. Rabha, however, said: There is no appointed time for sleeping; concerning the tefilin, it is for a different reason (as will be explained in Tract Benedictions). Rabh said: One must not sleep by day longer than a horse sleeps. How long is it? So as to be able to make sixty respirations. Said Abayi: My Master used to sleep by day as long as Rabh, and Rabh as Rabbi, and Rabbi as King David, and David slept as long as a horse. And how long is the sleep of a horse? Sixty respirations. Abayi himself sleeps as long as it would take to walk from Pompeditha to Be Kubi. Exclaimed R. Joseph about him the verse in Proverbs [vi. 9]: "How long, O sluggard, wilt thou lie down? When wilt thou arise out of thy sleep?"

MISHNA: It happened that a dish was brought to R. Johanan b. Zakai to taste, and two dates and a jar of water to Rabban Gamaliel. Each of them said: Bring it to the booth.

But when food less than an egg was brought to R. Zadok, he took it in the napkin, and ate it outside of the booth, but did not pronounce the benediction after meals for it.

GEMARA: Is it customary to adduce an act as a contradiction to the former teaching of the Mishna above (which says a hasty meal may be eaten outside of the Succah)? The above Mishna is not completed, and must read so: If one wants to make it more rigorous for himself, he may do so, without it being said he is vain; and it also happened with R. Johanan b. Zakai and Rabban Gamaliel that a dish and dates were brought to them, and they said they should be carried to the Succah.

"*And when food less than the size of an egg*," etc. But if the size of a whole egg? Then the Succah is needed? Shall we assume that this will be an objection to the teaching of R. Joseph and Abayi (which states above, three eggs, or as much as a young scholar, which is at any rate not less than an egg)? Nay, it may be explained that if it would be of the size of an egg, the legal washing of hands before and benediction after the meal would be needed (but Succah would not be needed).

MISHNA: Fourteen meals must be eaten in the Succah, one in the morning and one at night (of each day of the festival), according to R. Eleazar; but the sages say it is not fixed by law, except that one must eat in the Succah on the first night. R. Eleazar said again: He who has not eaten on the first night can make amends for it by eating in the booth on the last night of the festival; but according to the sages no amends can be made, and they apply it to the verse [Eccl. i. 15]: "What is crooked cannot be made straight, and that which is defective cannot be numbered."

GEMARA: What is the reason of R. Eleazar? Because it is written: "Ye shall dwell." And as in a dwelling it is usually eaten in the morning and in the evening, so must it be done also in the Succah; but according to the sages, it is as a dwelling, where one eats or not, at his pleasure. If it is so, why is he bound to eat the first evening of the festival? Said R. Johanan in the name of R. Simeon b. Jehozodok: It is written here in the fifteenth, and about the Passover the word fifteen is written: there is an analogy of expression, as on Passover the first night must Matzah be eaten, and later it is optional, so on the first night of the Feast of Tabernacles it must be eaten in the Succah, and henceforth it is optional. But whence is it known that on Passover it is obligatory? Because it is written [Ex. xii. 18]: "At evening shall ye eat unleavened bread." This verse makes it obligatory.

"*R. Eliezer said again*," etc. But did not R. Eliezer say that it is obligatory to eat fourteen meals in the Succah: every day one meal in the morning and in the evening? Said Bira in the name of R. Ami: R. Eliezer retracted what he had said. But with what shall he make amends? Shall he eat another meal? A man cannot eat more than he needs. With extra dishes for dessert. We have also learned in a Boraitha, if one makes amends with extra dishes, he has done his duty. The manager of the house of Agrippa the king (*επιτροπος*) asked R. Eliezer: I, for instance, who eat only one meal in twenty-four hours, may I do so in the Succah—eat one meal and fulfil my duty? And he answered him: Did you not make every day many dishes of delicacies for the sake of yourself, and can you not add one dish for the sake of your Creator? He asked him again: I, for example, who have two wives, one in Tiberia and one in Ziporeth, and have also two booths, one in Tiberia and one in Ziporeth, may I go from one Succah to the other, and my duty shall be fulfilled? And he answered: Nay, because I say who goes from one booth to another abolishes the religious duty he has done in the first.

We have learned in a Boraitha: R. Eliezer said: One must not go out from one Succah to another (to eat in one and sleep in another), and a Succah must not be made in the intermediate days. The sages, however, say: Both may be done. All agree that if the Succah has fallen, he may rebuild it on the intermediate days. What is the reason of R. Eliezer? Because it is written [Deut. xvi. 13]: "Seven days shall ye hold the feast of tabernacles." From this we infer the Succah shall be made to be fit for seven days. The rabbis, however, explained this passage so: On the Feast of the Tabernacles ye shall make a booth (during the whole feast). They all agree that if the Succah falls, it may be rebuilt. Is not this self-evident? We might assume that the second Succah cannot be made for seven days, and therefore shall not be made at all. He comes to teach us that it is not so.

We have learned in a Boraitha: R. Eliezer said: As a man cannot fulful his duty with a Lulab belonging to his neighbor on the first day, as it is written [Lev. xxiii. 40]: "And ye shall take unto yourselves on the first day the fruit of the tree hadar, branches of palm trees," etc.—"unto yourselves," that means, your own, but not those belonging to your neighbor; so also a man cannot fulfil his duty in a Succah belonging to his neighbor,

because it is written: "Seven days shalt thou make unto thee the feast of the tabernacles," and we infer from "for thee" it shall be thy own. The sages, however, said: Although it was said that a man cannot fulfil his duty with the Lulab of his neighbor, he may nevertheless do his duty of Succah in the neighbor's Succah, because it is written [ibid.]: "All that are Israelites born shall dwell in booths." From this we learn that all Israelites may sit in one Succah. But how will the sages account for the expression "unto thee"? They say it is to exclude a robbed Succah, but a borrowed Succah may be used.

The rabbis taught: It happened once to R. Ilai that he came to see R. Eliezer his Master in the city of Lud on the festival; and the latter said to him: Ilai, thou art not of those who rest on the festival, because R. Eliezer used to say: I praise the sluggards, who do not go out on the festival from the house, because it is written [Deut. xiv. 26]: "Thou shalt rejoice, thou and thy household." This is not so: did not R. Itz'hak say: Whence do we know that a man must visit his teacher on the festival? Because it is written [II Kings, iv. 23]: "Wherefore art thou going to him to-day? It is neither new moon nor Sabbath?" From this we may infer that on a new moon and a Sabbath it is obligatory to visit one's Master? It presents no difficulty: If one's Master is in the same city, where one can go and return the same day, he must; but not otherwise.

The rabbis taught: It happened once that R. Eliezer took his rest in the booth of Johanan bar Ilai in the city of Kisri, of Upper Galilea, according to others in Kisrion, and the sun reached the Succah. And the host asked R. Eliezer: Shall I spread a sheet on it? And he answered: There was not one tribe of Israel from which a judge did not descend.* The sun reached the middle of the Succah, and he asked again: How if I should spread a sheet on it? And he answered: There was not one tribe of Israel from which prophets have not descended, and

* Rashi explains this as follows: The Judges of the Book of Judges, *i.e.*, the Rulers of Israel since Joshua's death to the prophet Samuel: From the tribe Ephraim was Joshua; from Benjamin, Ehud; Manasseh, Gideon—that is, from the children of Rachel. Samson was of Dan, Barak of Kaddesh was of Naphtali—Bilha's children. Ibzan, or Boaz, from Judah; Eli of Levi, Tola from Issachar, Elun from Zebulun; Othniel, Jephthah, Shamgar, Abdan—it is not known of what tribes they were descended. From the tribes of Reuben, Simeon, Gad, and Asher, I have not found, says Rashi, explicitly that Judges were descended from them. But it may be the Judges whose tribes were not named were traditionally said to be of those.

the tribes of Judah and Benjamin chose kings at the command of the prophets. Finally the sun reached R. Eliezer's feet, and Johanan took a sheet and spread it over the Succah; and R. Eliezer took his garments and shouldered them, and left the booth. This was not because he did not want to teach him the law, but because R. Eliezer never decided a thing which he had not heard from his Master. But how could R. Eliezer do this? Did he not himself declare that a man must not go out from one Succah to another? They answered: That was not on the Feast of Tabernacles at all; it was another festival, and they sat in the Succah only for fresh air. But did not R. Eliezer declare: I praise the sluggards who do not leave on a festival their houses? It was not on a festival; it was an ordinary Sabbath.

The rabbis taught: It happened with R. Eliezer that he took rest in Upper Galilea, and he was asked thirty Halakhoth about the law of Succah. To twelve he answered: So I have heard; and to eighteen he answered: I did not hear them. R. Jose b. R. Jehudah says: On the contrary, to eighteen he answered: I have heard; and to twelve: I have not heard. And they asked him: Are all your decisions only from what you have heard? He answered: You compelled me to tell you one thing which I had not heard from my Masters. That is, never in my life came a man to the house of learning before me and I never slept in the house of learning a long or a short time; I never left a man in the house of learning when I went away, and I never talk about worldly affairs, and I never decided a thing which I had not heard from my Masters.

It was said of R. Johanan b. Zakai: Never in his life did he talk of worldly affairs; he never walked four ells without studying the Law and without tefilin; he was never anticipated by another in turning to the house of learning, and did not sleep in the house of learning even a short time; he did not teach about the Law in dirty alleys; he did not leave a man in the house of learning when he went away; he was never to be found silent, but always studying aloud, and never anybody opened the door for his disciples but himself; he never decided a thing he had not heard from his Master, and he never said it was time to go out of the house of learning except on the eves of Passover and on the eves of the Days of Atonement. And R. Eliezer his disciple conducted himself similarly.

The rabbis taught: Hillel the Elder had eighty disciples: thirty of them were worthy that the Shekhina should rest on

them as on Moses our Master; thirty of them were worthy the sun should be stopped for their sake, as it did before Joshua the son of Nun, and twenty were mediocre. The greatest of all the disciples was Jonathan b. Uziel, the least of all was R. Johanan b. Zakai. It was said of the latter, that he did not leave out the Bible, the Mishna, the Gemara, Halakhoth, and Agadoth (legends), the observations of the Bible, observations of the Scribes, lenient ones and vigorous ones, the analogies of expression, equinoxes, *geometries*, the language of the angels and the language of the evil spirits and the language of the trees, the fables, the great things, the heavenly chariots and small things, the discussions of Abayi and Rabha, to confirm what is written [Prov. viii. 21]: "That I may cause those that love me to inherit a lasting possession and their treasures will I fill." And when the least of all was so, how much the more was the greatest of all. It was said of Jonathan b. Uziel, that when he studied the Law every bird that flew over him was burned.

MISHNA: If the head and greater part of a man's body is in the booth, and his table in the house, Beth Shammai say he has not fulfilled the duty of Succah, but Beth Hillel say he has. Said Beth Hillel to Beth Shammai: Did it not happen that the elders of Beth Shammai and those of Beth Hillel visited R. Johanan b. Hahoronith, and found him sitting with his head and greater part of his body in the booth, and his table was in the house? and they said to him nothing. Beth Shammai replied: Do you adduce this as a proof? They said to him: If such has always been your custom, you have never in your life properly fulfilled the duty of Succah.

Women, slaves, and minors are exempt from the Succah. A boy that needs no longer the nursing of his mother must obey the command of Succah. It happened that the daughter-in-law of Shammai the Elder gave birth to a son on the festival, so he caused the roof to be taken off, and covered it as a Succah for the sake of the infant.

GEMARA: Whence is all this deduced? From what the rabbis taught: The verse could say *Ezrah* ("an Israelite born"). That would include the women. But it is written *Ha'ezrah*, "*the* Israelites born," which means the certain Israelites, and to exclude women. And by the word "all" it is meant to include minors. Shall we assume that the expression "Israelites born" includes women also? Did not we learn in a Boraitha (concerning the Day of Atonement), where it is written, "the Israelite

born," which means to include women, for whom it is as obligatory to fast as for males? From this we see that when it is written, "Israelites born," only males are meant? Said Rabha: That is not deduced from the passages, but it is all Sinaic, and the passages were taken as a support. But which passage, and which Sinaic law? And, again, to what purpose was a verse or a Sinaic law needed at all? Is not the Succah a commandment dependent on a certain season, and from all commands depending on certain seasons women are free? This is concerning Succah; and concerning the Day of Atonement this is deduced from what R. Jehudah says in the name of Rabh; and so also taught the disciples of R. Ishmael. It is written [Num. v. 6]: "If any man or woman commit a sin." From this we see that the verse made the man and the woman equal in all penalties of the Torah. Said Abayi: That a woman is exempt from the Succah is a Sinaic law, and nevertheless this support of a verse was needed, because one might say it is written, "Ye shall dwell"; and as in a dwelling are usually a man and wife, we might think that in the Succah there should also be a man and wife, it comes to teach us that it is not so. Rabha said: It is needed lest one say, by an analogy of expression, it is written about Passover on the fifteenth, and here, as on Passover, it is obligatory for women, so it is also on the Feast of Tabernacles, it comes to teach us that it is not so. Now, when you say there is a Sinaic law, why is the passage needed? It comes to include the proselytes; one might say the Israelites born, but not a proselyte, we are taught that they also are included. But the Day of Atonement, that is inferred from the above saying of R. Jehudah in the name of Rabh. Why is the Sinaic law here needed? This is needed for the addition to the Day of Atonement from the preceding day, which is biblical, but has no capital punishment. One might say that because the addition has no punishment, the women are exempt; the Sinaic law comes to say it is not so.

The Master says: *All*, to include the minors. But have we not learned in our Mishna, that women, slaves, *minors*, are free from Succah? This presents no difficulty: The Mishna means a case in which the minor is not yet old enough to be trained in a religious duty, and the Boraitha means a case of a minor old enough for that. But in case of a minor who has reached such an age, the duty is only rabbinical? Yea, the passage is taken only as a support.

"*A minor that needs not the nursing of his mother.*" What is

meant by this? A minor whe can obey the call of nature without the aid of his mother. So said the disciples of R. Yanai. But Resh Lakish said: A child that on awakening does not cry: Mother! mother!

"*It happened that the daughter-in-law of Shammai,*" etc. Is not this act a contradiction to the former teaching? The Mishna is not completed. It must be read so: "And Shammai the Elder is more rigorous, and it happened also that his daughter-in-law gave birth to a son, so he caused the roof to be removed, and covered it as a Succah for the sake of the infant."

MISHNA: During the seven days of the festival one must use the booth as the regular domicile, and the house only as an occasional abode. If it rains, when is he permitted to remove from the Succah? When a mess of porridge has been spoiled. The elders illustrate this by a comparison: What does such a circumstance resemble? As if a servant presented a goblet to his master, who throws a bowl full in his face.

GEMARA: The rabbis taught: All the seven days one must use the booth as one's regular domicile. How so? If he has fine utensils, he shall place them in the Succah; if he has fine bedding, he should transfer it to the Succah; and he should eat, and drink, and walk only in the Succah. Whence is this deduced? From what the rabbis taught: It is written: "Ye shall dwell"; it means, it shall be as a regular dwelling, and from this was deduced that all the seven days one shall make the Succah his regular dwelling, and his house a temporary one. He shall eat, drink, and study in the Succah. Is it so? Did not Rabha say that only to read the Bible and to learn a Mishna one may in the Succah, but study one may not? This presents no difficulty. The Boraitha means to repeat what he had studied already, and Rabha—to study something new, as Rabha and Rami, while studying under R. Hisda, used to repeat his lecture among themselves first, and afterwards tried to find out the reasons of it. Rabha said: The vessels for drinking shall be kept in the Succah; but the vessels for eating, outside. A pitcher of clay, outside of the Succah, a candlestick of clay in the Succah, and according to others, outside, and they do not differ; it means, in a large Succah it may; in a small one, it may not, because it is dangerous.

"*If it rains.*" We have learned in a Boraitha: When a mess of *gris* is spoiled (which is spoiled easily).

Abayi was sitting in the presence of R. Joseph in the Succah,

Succah, and a wind blew the chips from the covering into the dish, and R. Joseph said: Take off the dishes, and we will go out. Said Abayi to him: Have we not learned in the Mishna: Till the porridge is spoiled? And he answered: As I am delicate, the chips do me as great harm.

The rabbis taught: If one ate in the Succah and rain fell, and he went away and took his meal in the house, when it clears again we do not trouble him to interrupt his meal, and to go back to the Succah. If he was sleeping in the Succah and it rained, and he went away to sleep in the house, he is not aroused when it clears again, till the next morning.

"*What does such a circumstance resemble?*" The schoolmen asked: What is meant by this? Come and hear. We have learned in a Boraitha: As if the master threw the pitcher into the servant's face, and said to him: I do not want your service more.

The rabbis taught: An eclipse of the sun is an ill omen to the whole world. What does this resemble? A human king making a banquet for his servants, and placing a great lantern before them, when he gets angry he says to his servant: Take away the light, let them sit in the dark.

We have learned in a Boraitha: R. Meir said: When the sun and the moon are eclipsed, it is a bad sign to the enemies of the Israelites (meaning, the Israelites themselves), because they are used to troubles: it is equal to the teacher's coming to the school with his whip in his hand. Who is more afraid? The child used to being beaten. This is the case when Israel do not do the will of the Creator; but when they do, they need not fear anything, as it is written [Jeremiah, x. 82]: "Thus hath said the Lord: Do not habituate yourselves in the way of the nations, and at the signs of the heavens be ye not dismayed; although the nations should be dismayed at them."

The rabbis taught: On account of the following four things the sun becomes eclipsed: When a chief judge dies, and is not lamented becomingly; when a betrothed virgin calls for help in the town, and is not aided; unnatural vice; when two brothers are killed on the same day; and on account of the following four things both the sun and the moon are eclipsed: Forgery, false witness, when fruit-bearing trees are cut out, and when sheep and goats are kept in Palestine. On account of four things the property of householders is transferred (confiscated) to the government: When paid notes are kept; usury; and when men had the

power to prevent, but would not; and when charity was promised to the people, and was not given. Rabh said: For four things the property of householders becomes annihilated: When they keep workers, and do not pay them in time; for robbing them; when the strangers free themselves from the yokes on their necks and put them on their neighbors' necks; and for arrogance. And arrogance is the worst of all. But of those who are modest is written [Ps. xxxvii. 11]: "But the meek shall inherit the land, and shall delight themselves because of the abundance of peace."

## CHAPTER III.

REGULATIONS CONCERNING PALM BRANCHES, MYRTLES, WILLOWS, AND CITRONS USED ON THE FIRST DAY OF THE FEAST OF TABERNACLES.

MISHNA: A palm branch* which has been acquired by theft, or which is dried, is not valid. One which comes from a grove (devoted to idolatry) or from a rejected town† is not valid; if the point has been broken off, or the leaves torn off, it is not valid; if they are only dissevered, it is valid. R. Jehudah says: It must be tied together at the top. A palm branch from the Iron Mount‡ is valid. A palm branch that is three spans long, sufficient to shake it by, is valid.

GEMARA: The Mishna does not mention on which day it is valid, and on which not; and from this we can infer that it is invalid even for the second day. This would be right only in case of a dried one, because it is written *hadar*, which means "beauty," which a dried one has not; but a robbed one—that is prohibited only because it must be his own, as stated above (p. 34)—but on the second day, which is wholly rabbinical, why should it be invalid? Said R. Johanan in the name of R. Simeon b. Jochi: Because it is a religious duty that is performed by a sin. R. Johanan said again in the name of the same authority: It is written [Is. lxi. 8]: "For I, the Lord, love justice: I hate robbery with burnt-offering." It resembles a human king who passed the custom-house and said to his servants: "Pay the duty to the officers"; and the servants said to him: "Why shall we give duties? All the duties are thine"; and he said: "All passengers shall learn it from me, and shall not shirk to pay their duty." So the Holy One, blessed be He, said: "I, the Lord, hate robbery with a burnt-offering": of me shall my children learn, and avoid robbery.

It was taught also in the name of R. Ami: A withered one

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* Lev. xxiii. 40. † Deut. xiii. 12.

‡ A mountain near Jerusalem, southward, the palm branches of which were very short.

is invalid, because it has no beauty; and a robbed one is invalid, because it is a religious duty done by a sin.

R. Huna said to the sellers of the myrtles: If you buy myrtles from the heathen, do not cut them off yourselves, but let themselves cut off, and give them to you. Why so? Because most heathen have robbed the ground from the Israelites, and the robber is not considered the owner of the ground, even when the original owner has despaired of it (but the law is different about movable property). And therefore, if you will cut off yourselves, that will be as taking a robbed thing; but when they cut off, and as the original owners have despaired, the cut-off myrtle boughs become theirs, and you may buy them.

The rabbis taught: A robbed Succah or a roof made in a public street, R. Eliezer makes invalid, but the sages make it valid. Said R. Na'hman: They differ only when the ground on which the Succah is built belongs to his neighbor, and he put out the neighbor and took the Succah to himself. This is according to R. Eliezer's theory, who said that one cannot fulfil his duty in his neighbor's Succah. It is invalid in any case. According to those who say that the robber of ground is considered the owner of it, after the original owner has despaired, it is a robbed Succah; and even according to those who say that he can never become the owner of the ground, it is nevertheless a borrowed Succah (because it is not a robbed one). But the sages hold to their theory that one can fulfil his duty in a borrowed Succah, and also that ground cannot be robbed; therefore it is valid, because it is considered as a borrowed Succah. But if one has robbed wood, and made a roof, according to all, the owner of the wood has only to claim his money, but the wood becomes the property of the robber, and the Succah is valid. And he infers this from the expression of the Mishna, "a robbed Succah or a roof made in public ground," as in the latter case the ground was certainly not his, so also the robbed Succah means, that the ground was also not his and he has robbed it.

It happened once that an old woman came to R. Na'hman and said: The exilarch, and all the sages of the house of the exilarch, are sitting in a robbed Succah. She complained, but he did not answer her. Said she again: A woman whose father had three hundred and eighteen slaves complains before you, and you do not pay attention. R. Na'hman said to the sages: The woman is only a prattler: she has to claim only the money for the wood that has been taken for the use of the Succah.

Rabhina said: If a beam of the roof of a Succah has been robbed, the sages have arranged that only money for it should be returned to the owner, and not the beam itself. Is this not self-evident? What is the difference between a beam and wood, as just mentioned above? One might say wood can be found in any place, and one can buy it for the money; but a beam, which is not so common, should be returned. They come to teach us that during the seven days of the festival, one can lay claim only to money, but after the festival it must be returned, provided one has not attached it with clay; but if one has, even after the seven days only the money shall be given.

We have learned in a Boraitha: A withered palm branch is invalid, but R. Jehudah makes it valid. Said Rabha: They differ only about a Lulab that is rabbinical. The sages hold that we compare a Lulab to a citron: as the citron must be beautiful, because it is written *hadar* (beauty), so the Lulab must be beautiful; and R. Jehudah does not hold this theory, and says that a Lulab need not be beautiful, but a withered citron, according to all, is invalid. Does R. Jehudah require that a citron shall be beautiful? Did we not learn in a Boraitha: The four kinds that are with the Lulab, as there must not be less, so nothing shall be added to them? If one did not find a citron, he cannot replace it with a lemon or a pomegranate, or anything else; and if they are withered they are valid, but if dried, then invalid. R. Jehudah, however, said: Even when dry, they are valid. And he says again: The inhabitants of great cities used to transmit their Lulabs to their grandchildren. And they answered him: This cannot prove, because the places where such things are rarities do not prove. Hence we see that R. Jehudah said that even dry ones are valid, and this includes also citrons? Nay, R. Jehudah meant only the Lulab when he said dry ones are valid.

The text says: "If he cannot find a citron, he shall not replace it with a lemon," etc. Is not this self-evident? One might say, he shall replace it with something, lest the command of a citron should be forgotten: it comes to teach us that if it would be done so, the later generations might use such things forever. Come and hear: An old citron is invalid, but R. Jehudah says it is valid. Is this not a contradiction to the saying of Rabha* above, that R. Jehudah meant only the Lulab, and not a citron? Yea, it is

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* The name of Rabha is not mentioned above, but it must have been known to him that Rabha said so.

a contradiction. But how can R. Jehudah say that an old one is valid? Is it not written *hadar* (beautiful)? R. Jehudah explains the word *hadar** not to mean "beauty," but "dwelling"; that means, a fruit which dwells on its tree the whole year.

"*If the point was broken off.*" Said R. Huna: If it is broken off; but if it is only split, it is valid. But have we not learned in a Boraitha: A bristly Lulab or one crooked like a scythe, a split one, a hardened one, is invalid. But if it seems hardened, and in reality is not, it is valid. Hence we see that a split one is also invalid? Said R. Papa: By "split" is here meant one growing as a fork, into two different directions. "Crooked like a scythe," said Rabha; "that is only if it is bent forward, but if backward it is natural, and it is valid." Said R. Na'hman: If bent sideways, it is as if forward. According to others, R. Na'hman says it is as if bent backward. Rabha said again: A Lulab that has all the leaves on one side, and on the other side none at all, is blemished and is invalid.

"*If the leaves were torn off.*" Said R. Papa: By torn off is meant that it is made like a broom. What is meant by dissevered? When the leaves grow as branches of a tree, in different directions.

R. Papa put a question: If the "twins" of the Lulab are divided, how is the law (the double leaves on a palm branch are called "twins")? Come and hear: R. Mathun in the name of R. Joshuah b. Levi said: If the "twins" are divided, it is as if the leaves were torn off, and it is invalid.

"*R. Jehudah says,*" etc. We have learned in a Boraitha: R. Jehudah said in the name of R. Tarphon: The expression "branches of palm trees" is *Kapoth Tmarim.* As the word *kapoth* signifies in Aramaic "bound," "tied," if the Lulab was separated, it must be tied together. Said Rabhina to R. Ashi: How is it known that by Kapoth Tmarim is meant a young Lulab that has been the first year on the tree? Perhaps the branches are meant when they are two or three years old, when the leaves spread on all sides? We require that they shall be tied together, and in that case they cannot be tied at all.

"*A Lulab from the Iron Mount.*" Said Abayi: The case is only when the top of one reaches the lower part of the one that grows over it; but if not, they are invalid.

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* The word *hadar* in Hebrew has two meanings: "Beauty"; and *dar* means "dwelling" (see Ps. lxxxiv. 11). Hence R. Jehudah explains this in the latter sense.

"*A Lulab three spans long.*" Said R. Jehudah in the name of Samuel: The prescribed size for a myrtle bough and willow is three spans, and of the Lulab four, so that the Lulab shall be one span higher than the myrtle bough and willow when they are tied. R. Parnach in the name of R. Johanan said: (Not the leaves, but) the back of the Lulab, should be one span higher. Come and hear: The prescribed size of a myrtle bough and willow is three spans, of a Lulab four spans: is it not meant with the leaves? Nay, it is meant, besides the leaves. The Boraitha says farther on: R. Tarphon says: It shall be measured with an ell of five spans. Said Rabha: May the Lord forgive R. Tarphon for such teaching: A myrtle bough of three spans is not to be found, and he calls for a myrtle bough of the length of five spans. When Rabbin came from Palestine, he said that R. Tarphon meant to say so: An ell which was five spans, consider it as if it was six spans, and three spans of this take off for the myrtle bough, and the remainder, which is about two and a half, for the Lulab. If it is so, then it is a contradiction to Samuel, for according to R. Tarphon the myrtle bough would be only two and a half spans, and Samuel said it must be three spans? Samuel was not particular in his decision, and said more rigorously, three. But, nevertheless, R. Huna says in his name that the Halakha prevails according to R. Tarphon.

MISHNA: A myrtle bough which has been acquired by theft, or which is dry, is not valid. One which comes from a grove or from a rejected town is invalid. If the tip has been broken off, or the leaves torn off, or if one has on it more berries than leaves, it is invalid; if the berries are diminished in number it becomes valid, but this must not be done on the festival. A willow of the brook, which has been acquired by theft, or which is dry, is invalid. One which comes from a grove, or a rejected town, is not valid. If the point has been broken off, or the leaves torn off, or if it be a *Tzaphtzapha*,* it is invalid. One which is faded, or from which some leaves have dropped off, or which has grown on dry ground (not near a bank), is valid.

GEMARA: The rabbis taught: It is written: "Boughs of the myrtle tree"; that is, a tree whose branches cover the whole tree, and this is only a myrtle tree. Rabha said: We take a myrtle bough because it is written [Zechariah, viii. 19]: "Only

* The Gemara will explain the term.

love ye the truth and peace" (as a myrtle is an emblem of peace and love, therefore we take it on the festival).*

The rabbis taught: A branch that is twined like a chain, that is the myrtle. R. Eliezer b. Jacob says: It is written: "The branch of a twined tree." That means, a tree whose trunk and fruit have the same taste, and that is a myrtle. In a Boraitha we have learned: A branch that is twined, is valid; if not, it is invalid. What is meant by twined? Said R. Jehudah: On each stem are three leaves. R. Kahna however, says: Even if on one stem are two, and on the other one, it is also reckoned three. R. A'ha the son of Rabha was looking for a myrtle bough which had two and one and two and one because this has been announced by R. Kahna. Said Mar bar Amemar to R. Ashi: My father calls such a myrtle a wild myrtle.

The rabbis taught: If the greater number of leaves have dropped, and on three stems they remained, it is valid. The rabbis taught: If the greater part of the leaves on the bough have dried up and only three twigs, each containing three leaves, remained, it is valid. Said R. Hisda, provided that the remainder are on the top of each.

"*If the tip has been broken off.*" Ulla bar Hinna taught: If the tip has been broken off, and in its place is a green fruit like a date (Rashi explains this, that on the top of a myrtle there happen to be green fruits, with which women paint their vails), it is valid. R. Jeremiah put a question: If the tip had been broken off on the eve of the festival, and this green fruit grew up on the festival, how is the law? Shall it be said that, because it was not fit on the eve, it has been rejected, and cannot be used any more; or, the law of rejecting does not apply to religious duties? This question is not decided. Shall we assume that this is a point of difference between the following Tanaim: We have learned: If one has transgressed, and cut off the berries on the festival, it is invalid, according to R. Elazer b. R. Zodok; but according to the sages it is valid? Must we not assume that he who says it is invalid does it because he holds the law of rejecting applies to religious duties, and as this branch with the berries was rejected on the eve of the festival, it was rejected for the whole festival, and he who says it is valid does so because he holds that the law of rejecting does not apply to religious duties? Nay, all agree that

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*Rashi explains it in another manner, which is complicated. We, however, think that our explanation is right.

the law of rejecting applies to the positive commandments of religious duties, but in this case they differ whether a Lulab must be tied or not, as on this point differ the Tanaim of the following Boraitha: A Lulab, whether tied or not, is valid. R. Jehudah, however, said: A tied one is valid; if not, it is invalid. What is the reason of R. Jehudah? He infers it from an analogy of expression. It is written here [Lev. xxiii. 40]: "Ye shall take unto yourselves on the first day," and [in Ex. xii. 22] "and ye shall take a bunch of hyssop"; as there it is plainly written a bunch, so also here it must be tied as a bunch, and the sages do not take into consideration this analogy of expression.*

"*If one has more berries on it than leaves.*" R. Hisda said: The following thing said our great rabbi (*i.e.*, Rabh), and the Lord come to his help: The case is only if it was in one place, but if the berries were in two or three places, then it is valid. Said Rabha to him: If it was in two or three places, it seems spotted, and it is invalid? Therefore if such a thing was taught, it was taught thus, said R. Hisda: The following thing our great rabbi said, and may God come to his help: The case is only when the berries were black; but if they were green, they are the same as the myrtle bough, and it is valid.

"*If they have been diminished in number,*" etc. They have been diminished in number when? If before it was tied, it is self-evident, and if after it was tied, then it was rejected for the festival, and how made good? Infer from this that the law of rejecting does not apply to religious duties! Nay, we can say that the case is even after it had been tied, but the Tana of the Mishna holds that the tying is not considered a construction, but only a preparation, and does not therefore count it.

The rabbis taught: They must not be diminished in number on the festival. In the name of R. Eliezer bar Simeon, however, it was said: It may be done. But is not this like repairing a utensil on the festival? Said R. Ashi: R. Eliezer means to say, that if he took off the berries for the purpose of eating, and he holds as his father, that a thing which was done unintentionally is allowed.

The rabbis taught: If the *binding* of the Lulab was loosened on the festival, one shall tie it as he usually ties a bundle of herbs. Why? Let him tie it into a loop (not a knot). That is according to R. Jehudah, who said in Sabbath (p. 233), that tying into a loop

* See page 14, lines 32-37, beginning "But according," etc., which also belong here.

is like a knot, for either is culpable. But according to R. Jehudah the Lulab must be tied not as a bundle of herbs, but in a good knot? This Tana holds as R. Jehudah in one thing, and differs from him in the other.

"*A willow of the brook*," etc. The rabbis taught: It is written: "A willow of the brook." That means, they usually grow near every brook. According to others, the willow of the brook means that it has leaves smooth as a brook. In another Boraitha we have learned: The willows of the brook! Whence do we deduce that willows from dry ground and mountains are valid? It is written "willows," in the plural: all are included. Abba Shaul, however, said: The plural signifies that two are needed: one for the Lulab and one for the Temple. And whence do the rabbis deduce that one for the Temple? They hold it is Sinaic (as will be explained farther on).

The rabbis taught: Willows of the brook, that grow only at brooks; but the *Tzaphtzapha*, which grows only between mountains, is excepted.

The rabbis taught: How can we recognize what is a willow and what is a *Tzaphtzapha?* The willow's stem is red, with the leaves elongated and their edges smooth. But a *Tzaphtzapha* has the stem white, and the leaves round, and their edges like a scythe. But have we not learned, if it is like a scythe, it is valid, and when like a saw it is invalid? Said Abayi: This we learned of the willows of Hilpha Gila: they are valid. Abayi said again: We may infer from this that the same willows may be used for the seventh day when *Hosha'noth* are used. Is not this self-evident? One would say that because the willows of Hilpha Gila have an additional name, they are not valid, he comes to teach that it is not so. But perhaps it is so? Because it is written in the plural, all are included.

MISHNA: R. Ishmael says: Three myrtle boughs, two willows, one palm branch, and one citron are needed. If two out of the three myrtle boughs had the tips broken off, they may be used. R. Tarphon says: Even if all three should have the tips broken off. R. Aqiba says: As one Lulab and one citron are needed, so are only one myrtle bough and one willow needed.

GEMARA: We have learned in a Boraitha: It is written: "The fruit of the tree *hadar*," in the singular, one fruit; "a branch of a palm tree," in the singular,* one branch; "boughs

* The word *Kapath* is written in the singular, but is read *Kapoth*, in the plural.

of the myrtle tree," in the plural, three; and "willows of the brook," also in the plural, two. And even if two had the tips broken off, it is valid. R. Tarphon, however, said: Three are needed; and if all the tips are broken off, it does not matter. R. Aqiba said: As the Lulab and the citron are only one, so of the myrtle boughs and the willows is needed only one. Said R. Eliezer to him: According to thee, the citron must be tied together with the Lulab? And he answered: Did the verse say: "The fruit of the tree *hadar and* a branch of a palm tree"? It mentions them separately. If so, whence do we know that one depends upon the other? Because it is written: "Ye shall take." That means, you shall take all things that are enumerated, and not one without the other. How shall we imagine the case, according to R. Ishmael? If all kinds have to be entire, why are the myrtle boughs allowed if they are broken? And if it is not required that they should be entire, let even the other kinds, if broken, be used? Said Birah in the name of R. Ammi: R. Ishmael retracted this decision. Said R. Jehudah in the name of Samuel: The Halakha prevails according to R. Tarphon, and Samuel said this according to his theory, because he said to the sellers of the myrtles: Make the price lower, and if you will not do so, I will lecture that the Halakha prevails according to R. Tarphon. Let him then lecture according to R. Aqiba, who is more lenient, and says only one is needed? Three with the tips broken are more easily procurable than one uninjured.

MISHNA: A citron which has been robbed, or is withered, is invalid. One coming from a grove or a rejected town is invalid. One taken off a tree less than three years old* is not valid. Nor one taken from heave-offering that is unclean. From clean heave-offering a man is not to take a citron; but if he has taken, he has fulfilled his duty. One taken from *Demai* (fruit from which it is doubtful whether the legal dues have been paid) Beth Shammai hold invalid, but Beth Hillel hold it valid. A man is not to take a citron from second tithe in Jerusalem; but if he has taken one, he has done his duty. If a stain spread over the greater portion of the citron, if it has lost its crown, or the fine rind has been peeled off, or if it is split, or perforated, if ever so little thereof is wanting, it is not valid. If, however, the stain is spread over the smaller portion of the citron, if it has lost its stalk, or if that be perforated (but the citron itself is entire) so

* Lev. xix. 23.

that no part, however small, be wanting, it is valid. A dark-colored one is invalid, a leek-green one R. Meir pronounces valid, but R. Jehudah invalid.

The minimum size of a small citron, R. Meir says, is like a nut; R. Jehudah says, like an egg; and of a large citron, that one can hold two in one hand. So is the decree of R. Jehudah; but R. Jose says, even one must be taken with both hands.

GEMARA: The rabbis taught: The fruit of the tree *hadar;* that is, a tree whose wood and fruit have the same taste, and that is a citron. Perhaps it is pepper, as we learn in the following Boraitha: R. Meir used to say: Because it is written [Lev. xix. 23]: "Plant any kind of tree, bearing edible fruit." Why was it needed to say, a tree bearing edible fruit? Is it not self-evident that if it is bearing fruit it is edible? From this we infer that to pepper, whose wood and fruit have the same taste, the law of *Arlah* applies. And in the land of Israel nothing is lacking (even pepper), as it is written [Deut. viii. 9]: "A land . . . wherein thou shalt not lack anything"? Because it is impossible: how shall we do? Shall we take one pepper-grain, that will not be noticed at all, many of them; the law says one, not two or three; and therefore it cannot be. R. Abahu says: Do not read *hadar*, but ha-dar; that is, a thing that *dwells* on its tree the whole year. Ben Azzai said: Do not read hadar, but *adur*, because in Greek they call water ὕδωρ, and that means a tree which can grow in all waters, and that is only a citron.

"*One that comes from a grove*," etc. Because it must be burned, and therefore it is considered to have no size.

"*From a tree less than three years*," etc. Why so? R. Hiya bar Abbin and R. Assi differed: one says, because it is not allowed to eat it, it must not be used either; and one says, because at that time it is worth nothing (because it must not be used for any purpose).

R. Assi said: With a citron of second tithe, according to R. Meir, a man cannot fulfil his duty; but according to the sages, he can. The same is the case with Matzah of second tithe. And dough of second tithe, according to R. Meir, is exempt from *Halah*, and according to the sages, is not.

"*From unclean heave-offering*." Because it is not allowed to eat it. And from clean heave-offering? "*One shall not take*," etc. R. Ami and R. Assi differ: one says, because he makes it subject to defilement, and one says, because he spoils it (because, when he holds it in the hand, it gets black, and is spoiled).

"*But if he has taken, it is valid.*" According to those who say that it must not be taken, because it is not allowed to be eaten, this law is according to all; and according to those who say because it has no value, this Mishna is only in accordance with the rabbis.

"*From Demai.*" What is the reason of Beth Hillel? Because if one wishes, he can relinquish his estates, and then he would be poor, and he would be allowed to eat it; therefore now also we consider it proper.

"*If a stain,*" etc. Said R. Hisda: The following thing our great rabbi said, may the Lord come to his help: The case is only when it is in one place (of the citron), but if it is in two or more places, it is like a spotted one, and is invalid. Said Rabha: On its top, even if it is but trifling, it is invalid.

"*Its crown,*" etc. R. Itz'hak b. Elazar taught: The crown, but not the stalk at the bottom.

"*Peeled off,*" etc. Said Rabha: If a citron has been peeled, and gets the color of a red date, it is valid. But did we not learn in our Mishna that if peeled, it is invalid? It presents no difficulty. If it was in part peeled off, it is like a spotted one, and invalid; but if entirely peeled, it is valid.

"*Split or perforated,*" etc. Ulla bar Hanina taught: When it is perforated through and through, even if it is trifling, it is invalid; but otherwise, then if the hole is of the size of an *Isar* (a coin), it is also invalid, but if less it is valid.

A citron that is swollen, ill-smelling, soaked, boiled, black or white, or spotted, is invalid. A citron round as a sphere (not elliptical) is invalid. According to some, twins (two growing together) are also invalid. An unripe citron R. Aqiba makes invalid, and the sages do not. If it was made to grow in a mould, and it came out of an irregular shape, it is invalid.

It was taught: "A citron that mice have perforated," said Rabh, "cannot be called beautiful."

"*And of a large citron,*" etc. We have learned in a Boraitha: R. Jose said it once happened to R. Aqiba that he came to a prayer-house with his citron, and it was so large that he brought it on his shoulder. Said R. Jehudah to him: It proves nothing, because the sages told him then: This cannot be considered beautiful.

MISHNA: The Lulab must only be tied with its own kind (threads of palm branches). So says R. Jehudah. But R. Meir says: It may be tied even with twine. R. Meir also said: It

happened that the inhabitants of Jerusalem tied a Lulab with gold lace. But the sages answered: Yes, they did so, but beneath the gold lace they tied it with its own kind.

GEMARA: Said Rabha: With the bark or the root of the same tree it may be tied. And he says again: What is the reason of R. Jehudah's decree? Because according to him the Lulab must not be used unless it is tied, and if it be tied with another kind, it should be five kinds, and not four. He says again: Whence do I deduce that the bark and the root of the palm tree are considered of the same kind as the Lulab itself? From the following Boraitha: It is written: "Ye shall dwell in booths." That signifies, a booth of any materials: so is the decree of R. Meir. R. Jehudah, however, said: A booth must be made only of the four kinds used for the Lulab. And it seems to me that such is right, because if a Lulab which is used only in the day, and not in the night, must have the four kinds only, for a Succah which is used both by day and by night, so much the more are the four kinds needed. Replied the sages to him: Every law which is at the beginning more rigorous, and is finally more lenient, is no law at all. And our case, according to your opinion, if one did not find the four kinds, he should sit in his house, doing nothing; and the Torah says: "Seven days ye shall dwell in booths." Therefore we say a Succah should be made of any materials. And so it is written in Nehemiah, viii. 15: "Go forth unto the mountain and fetch olive leaves, and oleaster leaves, and myrtle leaves, and palm leaves, and leaves of the three-leaved myrtle to make booths." R. Jehudah, however, explains this verse thus: That olive leaves and oleaster leaves are for the walls of the Succah, and myrtle leaves, etc., are for the covering. And we have learned in a previous Mishna: It may be roofed with boards, so is the decree of R. Jehudah. Hence we see that, although R. Jehudah requires only the four kinds for the covering, nevertheless, if one has covered it with boards, it is valid, because the boards of the bark and of the roots of the same tree are considered by him of the same kind. But have we not learned in a Boraitha that if one has covered it with boards of cedar, it is valid according to R. Jehudah? By cedar is also meant myrtle, as Rabha bar R. Huna says elsewhere: There are ten kinds of cedar, and the myrtle is among them, as it is written [Is. xli. 19]: "I will place in the wilderness the cedar, the acacia, the myrtle."

Said Rabba to the men who tied the Hosha'noth for the

exilarch: When you tie them, leave the breadth of a hand at the bottom; there shall be no intervention between the hand and the Hosha'na.* Said Rabha: All that was made to beautify it, does not intervene. Rabba says again: A man shall not hold the Hosha'na through a cloth, because it is written: "Ye shall take," with your own hands. Rabha, however, said: Even if one takes it through another thing, it is still called *taking*. Rabba says again: After the Hosha'na and the myrtle bough have been tied, one shall not insert the Lulab, lest some leaves be torn off from them, and they will be an intervention between the Lulab and them. Rabba, however, said: A thing of the same kind makes no intervention.

Rabba says again: A myrtle bough used for the religious purpose may not be smelled, but a citron may. Why so? Because the myrtle is only used because of its odor, and as it has been designated for a religious purpose, it must not be smelled; but a citron, which is made for eating, has been designated only for eating, and may be smelled. The same authority says again: A myrtle attached to the ground may be smelled on the festival, but a citron must not. Why so? Because a myrtle, which is used only for smelling, if one will be allowed to smell it, when yet attached to the ground, he will not cut off; but a citron, which is for eating, if he will be allowed to smell, he will cut off, and eat. He says again: The Lulab must be held in the right hand, and the citron in the left hand. Why so? Because by the Lulab three duties are performed, and by the citron only one.

Said R. Jeremiah to R. Zrika: Why do we pronounce the benediction over the Lulab only? Because it is higher than the other kinds. But let one raise the citron, and pronounce the benediction over it? And he answered: Because by *nature* it grows higher than the other kinds.

MISHNA: When must the Lulab be shaken? At the verse: "Praise ye the Lord" (in the prayer), at the beginning and ending (of that part of the prayer), and at the verse: "O Lord, we beseech thee, save us": so is the decree of Beth Hillel. But Beth Shammai hold, also at the verse: "O Lord, we beseech thee, prosper us." R. Aqiba said: I watched Rabban Gamaliel and R. Joshuah (in the time of prayer), and I saw while all men shook the Lulabs at both the above-mentioned verses, they shook theirs only at: "O Lord," etc., "save us."

* The Gemara calls Hosha'na the Lulab, and the myrtle bough and willow tied together.

GEMARA: Where is it mentioned that it should be shaken? In the first Mishna of this chapter: it teaches, a Lulab which is three spans long "sufficient to shake it by"; and now it is asked, When shall it be shaken? Said R. Johanan: The shaking shall be towards all four sides—to the Creator, that all the sides are His; and it shall be raised and lowered to Him to whom the heaven and the earth belong. In the West they taught so: R. Hama bar Uqba in the name of R. Jose bar Hanina said: He shall shake towards all sides, to prevent bad winds; and up and down, to prevent bad dews.

MISHNA: If one is on the road, and has no Lulab, he must, when he gets home, shake it before his meal. If he has not done it in the morning, he must do it toward evening, as the duty may be done during the whole day.

If a slave, woman, or minor reads *hallel* (see Pesachim, Chap. X., pp. 242–46) to a man, he should repeat after them word for word, but it is a disgrace to him (not to have learned to read). If a grown man reads to him, he only responds "Hallelujah." At the places where certain verses are said twice, he is to do so. Where they are recited once, he must do so. Where a benediction is said after the Lulab, he must say it. In every case he must do as is the custom of the country.

GEMARA: Rabha said: Great Halakhoth can be inferred from the custom of saying Hallel: From the custom of our time, when almost all men can read the Hallel themselves, nevertheless they repeat the beginnings of the chapters after the reader, we may infer what are the essential portions of Hallel, and how it was done in the ancient times, when the people could not read themselves, and a man was wanted to read it, for them to repeat after him. The Mishna says: He responds "Hallelujah." From this we see that Hallelujah is of the essential portions which must be responded. We see also in our time, when the reader begins: "Praise, O ye servants of the Lord," and the people respond, "Hallelujah," we may infer that if a grown man is the reader of the Hallel, it is sufficient for the hearer to respond "Hallelujah," and not to repeat the whole chapter (part of the prayer). From what we see, that when the reader says, "Praise ye the Lord," they also repeat, "Praise ye the Lord," we infer that it is a merit to repeat the first verses of the chapter.

[It was also taught: R. Hanan bar Rabha said: It is a merit to repeat the first verses of the chapter.] When the reader says: "O Lord, save us," they should repeat it. If the reader is a

minor, however, one must repeat after him word for word. When he says: "O Lord, prosper us," they repeat it, and from this we see that if one wishes to say it twice, he may do so. When he says, "Blessed be he that cometh," they respond, "in the name of the Lord." From this we see that he who listens to the prayer is equal to him who himself repeats it.

R. Hiya bar Abba was asked: If one has listened to the prayer, and not responded, how is the law? And he answered: The sages, the scribes, the heads of the people, the preachers, all have decided that he who has listened, and not answered, has fulfilled his duty.

"*At the places where verses are said twice*," etc. We have learned in a Boraitha: Rabbi used to say twice in the Hallel same parts. R. Elazar b. Parta has added parts to the same prayer. What is meant by "added"? Said Abayi: He added the manner of saying twice every verse from the 21st verse of Psalm cxviii. to the end of that psalm.

"*When it is the custom to say a benediction*," etc. Said Abayi, that is only at the end of the Hallel; but before, it is not a custom, but obligatory. As R. Jehudah said in the name of Samuel: All the religious duties must have a benediction pronounced before they are performed.

MISHNA: If one buys a Lulab from a man of the common people in a Sabbatical year, he shall ask of him that the citron shall be given to him as a gift, because it is not allowed to buy a citron in the Sabbatical year.

GEMARA: But how is the law if the seller does not want to give him this as a gift? Said R. Huna: He shall include the price of the citron in the price for the Lulab. Why? Let him give it to him publicly? Because one must not give money for fruits forbidden to be sold on the Sabbatical year to a man of the common people. As we have learned in a Boraitha: One must not give money for fruit on the Sabbatical year to a man of the common people more than is sufficient for three meals; and if one has done it, he shall say: This money that I give to this man shall be exchanged for the fruit which I have in my house, and after that he uses the fruit which he has had in the house only for purposes for which fruit of the Sabbatical year may be used. When is that the case? When he saw that the man sold to him fruit from a field left to the public, which had no owner; but if he sold it from his own field, one must not buy even for half an *isar*. If it is so, why only the citron? What is the

case with the palm branch? The Lulab cannot be of the Sabbatical year, because it had been ripe on the sixth year. But the same is the case with the citron? In case of a citron, it is not counted from the time of its ripeness, but its removal from the tree (as is explained in Tract Rosh Hashana, p. 19). But we know that according to both R. Gamaliel and R. Eliezer, in reference to the Sabbatical year, in case of the citron it is counted from the time of its budding. As we have learned in the following Mishna: The citron is equal to a tree in three respects, and to herbs in one respect—to a tree in three respects, to wit: Of *arla* (the first three years), *rebai* (the fourth year) [Lev. xix. 22–24], and of the Sabbatical year, in reference to which it is counted from the time of its budding; and to a herb in one respect, that it must be tithed when it is gathered (*i.e.*, the tithe must be used for the purpose of that year). So is the decree of Rabban Gamaliel. R. Eliezer, however, said: A citron is equal to a tree in all respects (hence we see that all agree that in reference to the Sabbatical year it is counted in case of the citron from the time of its ripeness, not of its budding). The Tana of our Mishna holds as the Tana of the following Boraitha: R. Jose said: Abtulmus testified in the name of five elders, thus: The citron must be counted from the time when it is gathered for tithe. Our Masters, however, have voted and decided in the city of Usha that in reference both to tithe and Sabbatical year it is to be counted from the time of its gathering. But where is here mentioned the Sabbatical year? The Boraitha is not completed, and must read thus: The citron is counted when gathered in reference to tithe, and from budding in reference to the Sabbatical year. Our Masters in Usha, however, have decided that in both cases it is counted from the time of the gathering.

R. Elazar said: The fruit of the Sabbatical year does not become exchanged, unless it is done in the manner of buying and selling. R. Johanan, however, said: It becomes exchanged even through exchanging. What is the reason of R. Elazar? Because it is written [Lev. xxv. 13]: "In this year of the jubilee," and the next verse says, "shall he sell," from this we infer, only through buying and selling. What is the reason of R. Johanan? Because it is written [ibid., ibid. 12]: "For it is the jubilee, holy shall it be unto you"; and as in case of all holiness there is no difference between selling and exchanging, the same is the case with the fruit of the Sabbatical year. We have learned in one

Boraitha in accordance with R. Elazar, and in another Boraitha we have learned in accordance with R. Johanan.

A Boraitha according to R. Elazar: The Sabbatical year holds the money exchanged for its fruit, because it is written: "It is a jubilee year and shall be holy." As the holy things hold the money exchanged for it, and makes it holy, so also do the fruit of the Sabbatical year. But should we assume, as the holy things become ordinary, when exchanged, the same shall be with the Sabbatical year, therefore it is written: "*It shall be*"—which means, so shall it stay. How so? *I.e.*, if one bought for its fruit meat, both must be destroyed; if, however, he bought fish for the meat, the fish becomes its substitute, and the meat is free; the fish, again, exchanged for wine, the latter becomes the substitute. The same is the case when the latter is exchanged for wine: the very last always becomes the substitute of the preceding one, except the original fruit, which remains as it was. Now, then, when the Boraitha mentions at every exchange the word "*lokah*," which means bought, we may infer from it that it was done only by purchase, but not by exchange (hence R. Elazar's opinion).

A Boraitha according to R. Johanan: Both the fruit of the Sabbatical year and of the second tithe may be exchanged for wild game, cattle, and fowl when they are either alive or slaughtered. So is the decree of R. Meir. But the sages say that only for slaughtered ones, but when alive they must not be taken in exchange, lest he shall raise a herd from them. Said Rabha: They differ only as to males, but females, all agree that only slaughtered ones may be exchanged, but not living ones, for the precautionary measure stated above.

Said R. Ashi: They differ only about the fruit exchanged already for the Sabbatical fruit, but about the Sabbatical fruit itself all agree, only through selling and not through exchanging. But have we not learned in a Boraitha: The fruit of the Sabbatical year and second tithe may be exchanged for animals, wild beasts, and fowls? By this is meant, not the fruit but the money obtained for it. And this must be so, because it is mentioned together with second tithe, and by second tithe could not be meant the fruit itself, because it is written [Deut. xiv. 25]: "Bind up the money in thy hand."

MISHNA: Formerly the Lulab was used in the Temple all the seven days of the festival; in the country, however, only one day. When the Temple was destroyed, R. Johanan b. Zakkai

ordained: In the country it shall also be used all the seven days, in memory of the Temple. He ordained also at the same time that on the sixteenth day of Nissan, called the day of Noph (the day of waving the omer: Lev. xxiii. 11), it should not be allowed to eat new grain.

GEMARA: Whence do we infer that it must be done in memory of the Temple? Said R. Johanan: Because it is written [Jeremiah, xxx. 17]: "This is Zion, whom no one seeketh after." From this we infer that it must be sought after.

"*The day of Noph*," etc. What is the reason? Said R. Na'hman bar Itz'hak: R. Johanan b. Zakkai said this in accordance with the system of R. Jehudah, who said that it is biblically prohibited to eat the whole day, because it is written [Lev. xxiii. 14], "until the self-same day"; and the self-same day means this day shall be included. Does R. Johanan b. Zakkai indeed hold with R. Jehudah, did he not differ from him? As we learn in the following Mishna: When the Temple was destroyed, R. Johanan b. Zakkai ordained that the whole day of Noph it shall be prohibited. And R. Jehudah said to him: Why such an ordinance? Is it not biblically prohibited, as it is written, "on the self-same day," which means to include the whole day? R. Jehudah erred, because he thought R. Johanan b. Zakkai intended to make his ordinance rabbinical, and it was not so; R. Johanan b. Zakkai ordained this biblically. If biblically, what is meant by the expression "ordained"? Read: He lectured that this is biblical and so ordained.

MISHNA: If the first day of the festival falls on a Sabbath, the people bring their Lulabs to the synagogue on the eve of Sabbath and leave them there, and on the next morning they come early to synagogue, and each seeks out his own Lulab, and performs with it his duty, because the sages hold that the duty cannot be fulfilled on the first day by means of a Lulab belonging to his neighbor; but it can be fulfilled on the subsequent days of the festival.

R. Jose says: If the first day of the festival falls on the Sabbath, and one carries out the Lulab into public ground through forgetfulness, he is not culpable, because he carried it out with the intention to do a religious duty.

GEMARA: Whence is this deduced? From what the rabbis taught: It is written [Lev. xxiii. 40]: "Ye shall take," that means, it shall be taken with the hand; "unto yourselves," it shall be your own, but not a borrowed one or robbed one; and

from this the sages said that one cannot fulfil his duty with the Lulab of his neighbor on the first day, unless he has made of it a present to him. And it happened to Rabban Gamaliel, R. Joshuah, R. Elazar b. Azariah, and R. Aqiba, when they were on board a ship, that they had but one Lulab, which was the property of Rabban Gamaliel, who had bought it for a thousand Zuz; and R. Gamaliel performed with it his duty, and then made of it a present to R. Joshuah; R. Joshuah did the same, and gave it away to R. Elazar, who did the same, and gave it as a present to R. Aqiba; and R. Aqiba, after having fulfilled his duty, returned it to Rabban Gamaliel. To what purpose do they tell us that R. Aqiba returned it to Rabban Gamaliel? It is to teach us by the way, that a present with the condition that it shall be returned after, is called a present. As Rabha said elsewhere: "If one say: I present to you this citron to fulfil your duty with it, and afterwards you shall return it to me," if the man returned it afterwards, he had fulfilled his duty, but if he failed to return it, it is not counted as anything. And to what purpose do they tell us that he bought it for a thousand Zuz? To let us know how dear to them were religious duties. Said Mar bar Amemar to R. Ashi: My father used to pray, holding the Lulab in his hand. We have learned in a Boraitha: R. Elazar * bar Zadok says: So was the custom of the men of Jerusalem: when one was going out of his house, the Lulab was in his hand; when he went to the house of prayer, the Lulab was in his hand; when he read the Shema and prayed, the Lulab was in his hand; when he read in the Torah and raised his hands (when a priest) to bless Israel, he laid it away on the floor, and afterwards took it up. If he went to visit the sick, or console mourners, the Lulab was in his hand. When he went, however, to the house of learning, he sent it away through his son, or servant, or messenger. To what purpose is all this told? To let us know how mindful they were of religious duties.

"*R. Jose said*," etc. Said Abayi: He is not culpable so long as he has not fulfilled his duty with it; but if he has, he is. But has not the duty been performed as soon as he has taken it into his hand and raised it? Said Abayi: It means, if he carried it out inverted (because the duty is not fulfilled so long as he does not hold it as it grows). Rabha said: Even if he has not inverted it, but carried it out in a vessel. But did not Rabha him-

* See foot-note in Tract Pesachim, p. 78.

self say that taking through any other thing is called taking? That is, if he took it thus to honor it; but if in a vessel not appropriate to a Lulab, it is not called taking.

MISHNA: A woman may receive a Lulab out of the hand of her son or of her husband, and put it back into water on the Sabbath. R. Jehudah says: On the Sabbath it may be put back, on the festival they may add fresh water, and on the intermediate days they may change the water. A minor who understands how to shake the Lulab is bound to perform that duty.

GEMARA: Is this not self-evident? Lest one say, that because the Lulab is not obligatory for a woman, she must not handle it, it comes to teach us that she may.

"*A minor*," etc. The rabbis taught: A minor who knows how to shake the Lulab is bound to perform this duty. If he knows how to wrap himself in a cloth, he is bound to perform the duty of Tzitzith; if he is able to take care of Tefilin, his father may buy for him Tefilin. As soon as he can talk, his father shall teach him the Torah, and to read Shema. [What is meant by Torah? Said R. Hamnuna: The verse of Deuteronomy, xxxiii. 4: "The law which Moses commanded us is the inheritance of the congregation of Jacob." What is meant by Shema? The first verse.] (The Boraitha says farther on): If he knows how to slaughter animals, it may be eaten of his slaughtering. Said R. Huna: Only if an adult was standing by. If he is capable to eat bread the size of an olive, one must remove from him to the distance of four ells (if one has to pray or to study), on certain occasions. Says R. Hisda: This is only if he can eat the piece of bread in the same length of time that a grown person can eat bread of the size of three eggs, or more. Said R. Hiya the son of R. Yeba: In the case of a grown man who is sick and unable to eat as much, in the above-mentioned length of time, one must nevertheless remove four ells. Because it is written [Eccl. i. 18]: "Where there is much wisdom, there is much vexation." If the minor is able to eat roasted meat of the size of an olive, the Paschal offering may be slaughtered for him, as it is written [Ex. xii. 4]: "Every man according to what he eateth." R. Jehudah, however, said: It must not be given to him until he is able to distinguish. How? If he is given a chip, he drops it; but a nut, he accepts it.

## CHAPTER IV.

### REGULATIONS CONCERNING THE FOUR KINDS TIED WITH THE LULAB, CONCERNING HALLEL, POURING THE WATER ON THE ALTAR.

MISHNA: The Lulab and willow to surround the altar were sometimes used on six days, and sometimes on seven days of the festival. The Hallel and the eating of peace-offerings took place on eight days. The dwelling in the Succah and the pouring out of water lasted seven days, and the pipes were played on sometimes five, sometimes six days. In which case was the Lulab used seven days? When the first holy day of the festival fell on a Sabbath, the Lulab was used on seven days; but when the first day of the festival fell on any other day of the week, the Lulab was only used six days. In which case was the willow used on seven days? When the seventh day of the willow happened to fall on a Sabbath, the willow was used seven days; but when the seventh day fell on any other day of the week, the willow was only used six days. How was the command to take the Lulab fulfilled when the first holy day of the festival fell on a Sabbath? It was the custom that every man brought his Lulab to the Temple mount, where it was received by inspectors, who deposited it in a gallery. The elders placed theirs in a separate chamber, and the people were taught to say: Whoever gets hold of my Lulab, be it his as a gift. On the next morning the people came early; the inspectors threw all the Lulabs down before them; every man seized on one, and it often happened that they hurt each other. When the Beth Din saw that the people were thus exposed to danger, they ordained that every man was to use his Lulab in his own house.

GEMARA: Why? It is only handling it, and as the commandment of this is biblical, that it shall be taken in the Temple all the seven days, why shall it not be preferred to Sabbath? Said Rabba: As a precautionary measure, lest one take it into his hand to go with it to an expert to learn the performance, and at the same time one will carry it four ells in public ground. And the same reason is with the cornet, and the same reason is

with the Book of Esther, when Purim falls on Sabbath. If it is so, let it be forbidden even on the first day of the festival? On the first day of the festival, was it not ordained that it shall be used in the house, as mentioned above? Yea, that was after it was ordained; but what was the case before it was ordained? Therefore we must say, that the reason is because for the first day, which is biblical even in the country, the rabbis did not take the precautionary measure; but the other days, which for the country is only rabbinical, the rabbis took it. If it is so, why shall we not take it now on the first day, when it falls on Sabbath? If one may say, because we do not know exactly the calendar, why do the Palestinians, who know exactly the calendar, not carry it on Sabbath? Yea, they did so, even after the Temple was destroyed, as we have learned in the Mishna above that the people brought their Lulabs to the Temple mount; and another Mishna said, they brought it to the prayer-house, from which we may infer that in the time of the Temple they took it to the Temple mount, and after its destruction they took it into the house of prayer. But whence do we deduce that in the country it is biblically obligatory on the first day? From the following Boraitha: It is written: "Ye shall take." That signifies, it shall be taken with the hand. "Unto yourselves," it shall be your own, excluding a borrowed or a robbed one; "on the day," even on Sabbath; "the first," even in the country. "The first," from this we infer that only when the first day falls on Sabbath it must be taken, but not on the other days. The text says, "the day," to include Sabbath. Let us see. This is only handling. Do we need a biblical verse to allow handling? Said Rabba: It is meant to allow the preparing of the Lulab, and this is in accordance with the Tana of the following Boraitha: The Lulab and all its preparations violate the Sabbath. So is the decree of R. Eliezer. And the reason of R. Eliezer is, because it is written, "the day," it is meant the Sabbath.

The rabbis taught: It is written: "In booths shall ye dwell seven days." "Days" signifies the nights also; but perhaps only the days are meant, and not the nights? And it would be an analogy of expression: it is written here "the days," and about the Lulab "the days"; as of the Lulab only days are meant, and not the nights, so also it may be with the Succah? Or take another way, the analogy of expression of "the seven days of Aaron's consecration" [Lev. ix.]; as there the nights are included, so shall here also the nights be included. Now let us

see what it resembles more: We may draw a lesson about a thing the duty of which is the whole day, from another thing of which the duty is also the whole day, and not draw the same from a thing the duty of which is only one hour. Or in another way: We shall draw a lesson about a thing of which the duty is forever from a thing of which the duty is also forever, and not about a thing of which the duty is forever from Aaron's consecration of which the duty was only for that time. Therefore another analogy of expression is found: It is written here: "Ye shall dwell," and about the seven days of Aaron's consecration it is also written [Lev. viii. 35]: "Ye shall dwell"; as there it is plainly written days and nights, so is here also meant days and nights.

"*In which case is the willow used seven days?*" Why shall the willow violate the Sabbath? Said R. Johanan: To let the public know that the willow is biblical. If it is so, let the Lulab also violate the Sabbath, to make it public that the Lulab is biblical? The precautionary measure, which Rabbi mentioned above, is taken in reference to the Lulab. But why not in reference to the willow? Because usually the messengers of the Beth Din were sent to take the willow for the performance, but the Lulab was taken by private persons. Said Rabha to R. Itz'hak the son of Rabba bar bar Hana: Son of a scholar, come and I will tell you a good thing that your father said: What we learn in a Mishna farther on, that every day they went round the altar once, and on that day seven times, said your father in the name of R. Elazar: That is meant with the Lulab (not with the willow). R. Itz'hak objected: We have learned in a Tosephta: The Lulab violates the Sabbath in the beginning of its duty, and the willow in the end of its duty. It happened once that the seventh day of the willow fell on Sabbath and the branches of the willow were brought on the eve, and were laid in the court of the Temple; and when the Baithusees got wind of it, they took the branches of the willows, and hid them under the stones of the court. On the morrow the common people pulled them out from beneath the stones, and the priests erected them around the altar, because the Baithusees do not agree that the performance of the duty of willows violates the Sabbath. Hence we see that they performed the religious ceremony with the willows, and not with the Lulab? The question remains: But why did they bring them on the eve of Sabbath, why not on Sabbath (let the bringing of the willows violate the Sabbath as the handling while the duty is per-

formed)? Because as we, who are in exile and are not certain of the calendar, do not violate the Sabbath for the willow, they in Palestine also do not violate the Sabbath for the bringing. But we see that on the first day we do not violate the Sabbath for the Lulab, and they do? It was told, that now they also do not violate even with the Lulab.

Abayi said to Rabha: Why do we use the Lulab all the seven days in memory of the Temple, and not the willow? Rabha answered: We use the willow tied with the Lulab together all the seven days. Rejoined Abayi: But we use it not for the sake of the willow, but for the sake of the Lulab; and if you would say that we raise it again for the sake of the willow, we see proofs every day that we do not do so. Said R. Zbhid in the name of Rabha: The Lulab, which is biblical, we use in memory of the Temple all the seven days, but the willow, which is rabbinical, we do not use so.

It was taught: R. Johanan and R. Joshuah b. Levi differ: One says that the basis of the willow is a tradition from the prophets, and one says that the willow is only a custom of the prophets. From the following saying of R. Abahu we may assume that R. Johanan is the one who said that the basis is a tradition of the prophets, because he said in his name that so said R. Johanan. Said R. Zera to R. Abahu: Did R. Johanan say so? Did he not say in the name of R. Nehumia, the man of the valley of Beth Hursa, that the ten plants concerning Kilaim, the willow, and the pouring of water are Sinaic laws? He was astounded for a little while, and said: They were forgotten once, and then reëstablished. But how could R. Johanan say so? Did he not say to the sages of Palestine: Do not say that the ordinances derived from the Torah are yours: they are the Babylonians', because we have received all our learning from them. (R. Johanan said this when he saw R. Kahna, one of the disciples of Rabh, come to Palestine and explain many questions which R. Johanan could not decide.) Hence we see that R. Johanan did not think that in Babylon the Torah was forgotten, and how can it be said it was forgotten? It presents no difficulty: In the Temple it was Sinaic, but in the country it had for a basis the tradition of the prophets.

R. Ami said: The willow has to be of the prescribed size, and must be taken separately, and a man does not fulfil his duty with the willow which is tied with the Lulab. R. Hisda in the name of R. Itz'hak, however, said that a man can fulfil his duty with

the willow which is tied with the Lulab. What is the prescribed size? Said R. Na'hman: Three moist twigs with leaves. R. Shesheth, however, said: Even if there was one leaf on one twig. Said Aibu: I was standing in the presence of R. Elazar bar Zadok, and a man brought a willow before him; and he took the willow into his hand, and knocked off the leaves, but without any benediction, because he held that the willow was only a custom of the prophets. Aibu and Hezekiah, the grandsons of Rabh by his daughter, brought a willow to Rabh, and he also took it and knocked it, without benediction, because he also held it was only a custom of the prophets.

Aibu said again: I was standing before R. Elazar bar R. Zadok, and a man came to him and said: I possess some villages, and the inhabitants of the villages weeded the orchards in the Sabbatical year, and for their labor they ate the olives: did they right, or not? R. Elazar answered: It is not right. And the man went away. Said R. Elazar: I am living in this country forty years, and I have not seen a man walk in the right path as this man. Afterwards the man came again, and asked R. Elazar what he should do in this matter, and R. Elazar told him he should abandon the olives to the poor, and the laborers he should pay from his purse.

Aibu says again in the name of R. Elazar: A man must not walk on the eve of Sabbath more than three *Parsaoth*. Said R. Kahna: The case is when he goes home, and his family does not know that he will come, and do not prepare anything for him for Sabbath; but if he is going to an inn, he may walk more, because he has prepared everything that is necessary for Sabbath. According to others, R. Kahna said that even to his house he shall not go, so much the less to an inn. And he added to this: It once happened to me that I was coming home late on the eve of Sabbath, and my family did not expect me: I did not find even small fish prepared for Sabbath.

"*How was the commandment to take the Lulab fulfilled?*" One Tana taught in the presence of R. Na'hman: He deposited it on the roof of the gallery. And R. Na'hman said to him: Why on the roof, did he intend to dry it? Read, "on the galleries."

MISHNA: How was the command to take the willow fulfilled? There was a place below Jerusalem called Motza. Thither the people descended, and gathered drooping willow branches. These they brought and erected at the side of the

altar, the tips inclining over it. While this was doing, a blast, a long note, and again a blast were blown. Every day they made one circuit round the altar, and recited the verse: "O Lord, help us; O Lord, prosper us." R. Jehudah said the words: "I and he, help us," were also said. On the particular day for using the willows (the seventh of the festival) they made seven circuits round the altar. When they withdrew, what did they say? "Beauty is thine, O altar! Beauty is thine, O altar!" R. Elazar said, they also said: "To God and to thee, O altar! To God and to thee, O altar!" As they did on week-days, so did they likewise on the Sabbath; excepting only that they gathered the willow branches on the Sabbath-eve and put them into golden casks (filled with water), that they might not fade. R. Johanan b. Beroka said: They fetched branches of palms and threshed them to pieces on the sides of the altar. Thence the day was called "the branch-threshing day." Directly afterwards the children threw down their Lulabs and ate the citrons.

GEMARA: In a Boraitha it was taught: that the place where they were taken was free from taxes, and one Tana of the Mishna calls it Motza, because this word signifies *exempt* from taxes.

"*They brought and erected at the side of the altar.*" In a Boraitha was taught: They were soft and eleven ells high, so that they could cover the altar one ell. Said R. Abahu: From what biblical passage is this inferred? From Psalm cxviii. 27: "Bind the festive sacrifice with cords," etc. He said again in the name of R. Elazar: One who takes the Lulab with its binding, and the myrtle bough with its braiding, the verse makes him equal to one who would build an altar and offer a sacrifice on it, and he infers it from the end of the passage just quoted. Hezekiah said in the name of R. Jeremiah, quoting R. Simeon b. Jochai, and R. Johanan in the name of R. Simeon the Mehuzi, quoting R. Johanan the Mekuthi: One who added a day to the festival for eating and drinking, the verse makes him equal to one who built an altar and offered a sacrifice on it, as it is written: "Bind the festive sacrifice with cords (leading it) up to the horns of the altar."

Hezekiah said again in the name of R. Jeremiah, quoting R. Simeon b. Jochai: All the prescribed plants for religious duties must be taken as they grow, as it is written [Ex. xxvi. 15]: "Shittim wood, standing up." Hezekiah said again in the name of the same authority: I could exempt the whole world from the

Day of Judgment since I was born till now; and if Eliezer my son would be with me, I could do it for all men since the world was created till now. And if King Jotham ben Uzziah would be with us, we could do it for all men from the creation of the world till its end. The same says again in the name of the same: I see the greatest men in the world are very few. If they are a thousand, I and my son are included; if they are a hundred, I and my son are included, and if they are only two, they are I and my son. Said Abayi: There are no less than thirty-six upright men in the world who receive appearance of the Shekhina every day, as it is written [Is. xxx. 18]: "Happy are all those that wait for him," and *him* is expressed by לוֹ, which counts thirty-six.

"*To God and to thee.*" How did they do so? Did they not combine the name of the Lord with another thing, and we have learned in a Boraitha: Who combines the name of the Lord with another thing, will be destroyed from the world? As it is written [Ex. xxii. 19]: "Save unto the Lord only." The Mishna meant it was said so: "To God we bow, and Thee we praise."

R. Jehudah in the name of Samuel said: The benediction over the Lulab must be pronounced all the seven days, but in the Succah the benediction must be made only the first day. Why so? Because the nights intervene between the days, and every day it is a separate commandment; but in case of the Succah, which is a duty during the nights also, all the seven days are considered as one long day, and one benediction is enough. Rabba bar bar Hana in the name of R. Johanan, however, said: The benediction over the Succah must be pronounced all the seven days, but over the Lulab only the first day. Why so? Because the Succah is biblical, the benediction is to be made every time; but the Lulab being rabbinical, it is sufficient on the first day. When Rabbin came from Palestine, he said in the name of R. Johanan, that over both it is to be pronounced every day all the seven days. Said R. Joseph: Keep what Rabba bar bar Hana said in your mind, because all the Amoraim hold with him concerning Succah. Other Tanaim, however, differ also on the same point. As we have learned in the following Boraitha: Over the Tefilin, every time one lays them, one must pronounce a benediction. So is the decree of Rabbi. The sages, however, said: In the morning only. And it was taught Abayi said the Halakha prevails according to Rabbi, and Rabba said the Halakha prevails according to the sages. Said R. Mari the son of the daughter of Samuel: I have seen Rabba did not follow his

own decision, and we also all are doing according to Rabbi, and pronounce the benediction on every one of the seven days.

R. Jehudah in the name of Samuel said: The commandment of the Lulab is all the seven days; but R. Joshuah b. Levi said: The biblical commandment is only for the first day, and from this day further on it is the commandment of the Elders; and so said also R. Itz'hak. Rabh, however, holds that the commandment is for all seven days, and R. Na'hman bar Itz'hak taught plainly that Rabh said so.

The rabbis taught: If one made a Succah for himself, he must pronounce the benediction of the time. When he comes to dwell in it, he must pronounce the benediction: "Blessed be He, etc., who has commanded us to dwell in a Succah"; but if the Succah had been prepared, if he is able to fix there something new, he may pronounce the benediction of the time; if not, when he comes to dwell in it, he should pronounce both benedictions. Said R. Ashi: I have seen R. Kahna, who used to pronounce all the benedictions over the goblet, together with the benediction of the day.

The rabbis taught: If one have before himself many religious duties, he can say: "Blessed be He who has sanctified us with His commandments, and commanded to us many duties." R. Jehudah, however, said: He must pronounce the benediction before each one separately. Said R. Zera, according to others R. Hanina bar Papa: The Halakha prevails according to R. Jehudah. And he (either of the two mentioned) says again: What is the reason of R. Jehudah? Because it is written [Ps. lxviii. 20]: "Blessed be the Lord, day by day." Do we only bless Him by day, and not by night? We may learn from this that every day we should bless Him for the duties of that day (if Sabbath, we must bless Him for the Sabbath; if a festival, for the duties belonging to each festival). The same authority says again: Come and see. The usages of the Holy One, blessed be He, are not as the usages of human beings: A human being can put only something into an empty vessel, but if the vessel is full, he can put in nothing; but the Holy One, blessed be He, can add to a full vessel, but can put nothing into an empty one, as it is written [Deut. xxviii. 1]: "If thou wilt hearken diligently"; * *i.e.*, if you have heard diligently, you can receive

* The Hebrew term for this is שמע תשמע, which is literally, "by hearing you will hear more."

more knowledge, but if not diligently, you can hear nothing. Another interpretation for this verse is this: If you have given your attention to what you have learned before, you can learn from it new things; but if you have turned away your heart from the old teaching, you cannot learn anything new.

"*The children threw down*," etc. Said R. Johanan: The citron on the seventh day is prohibited to be eaten, but on the eighth day it is allowed; but the wood of the Succah, even on the eighth day, is not allowed to be used. Resh Lakish, however, said: Even on the seventh day the citron is allowed. R. Johanan made an objection to Resh Lakish from our Mishna: The children throw down their Lulabs and eat their citrons. From this we may infer that only the children may do so, but not adults. Answered Resh Lakish: Nay, adults may also do so, but the Mishna mentions children because it was usually done so. R. Papa asked Abayi: What is the reason that R. Johanan makes a difference between the Succah and the citron? And he answered: The Succah is fit for twilight, so that if one had to eat at twilight, he must sit in the Succah and eat there; and because it was designated for twilight, it is designated for the whole eighth day; but the citron, which is not to be used at twilight, and was not designated for the twilight, is not designated for the whole eighth day. Levi, however, said: The citron is prohibited even on the eighth day. And the father of Samuel said: On the seventh day it is not allowed, but on the eighth day it is allowed. The father of Samuel afterwards retracted his teaching, and remained in accordance with the system of Levi. R. Zera, however, remains in accordance with the old teaching of the father of Samuel, and taught in the house of learning that a citron which becomes invalid must not be eaten all the seven days. R. Zera said again: One must not give as a present to a child a Lulab on the first day of the festival. Why so? Because a child may receive a present, but cannot make a present to another; and afterwards if the man uses the Lulab for the religious purpose, he has used a thing which is not his (by which he cannot fulfil his duty). He says again: A man shall not promise a child something, and afterwards not keep his word, for the child can learn from it to tell a lie.

We in exile, who keep two days of the festival, how shall we do? Said Abayi: On the eighth day, which it is doubtful perhaps it is the seventh, it is prohibited; but the ninth day, which it is doubtful perhaps it is the eighth, it is allowed. Meremar,

however, said: Even on the eighth day, which it is doubtful perhaps it is the seventh, it is also allowed. In Sura they acted according to Meremar; but R. Shesheth the son of R. Iddi acted according to Abayi, and the Halakha prevails according to Abayi.

R. Jehudah the son of Samuel bar Shilath said in the name of Rabh: The eighth day, which it is doubtful whether it is not the seventh, may be considered as the seventh day in reference to the Succah, but is considered the eighth day in reference to the benediction. R. Johanan, however, said: It may be considered the eighth day for both purposes. (The Gemara explains it so): In reference to the benediction, all agree that the benediction may not be said. What they differ about is only the citron. According to Rabh, on the eighth day one must sit in the Succah, and according to R. Johanan, even sitting is not necessary either. Said R. Joseph: Keep in your mind what R. Johanan said, because the Master of this Halakha, R. Jehudah bar Samuel, who declared it in the name of Rabh, did not act according to his teaching, and we have seen him on the eighth day sitting outside of the Succah. The Halakha prevails: That we do sit in the Succah, but do not pronounce the benediction over it.

R. Johanan said: The benediction of the time must be pronounced on the eighth day of the Feast of Tabernacles, but not on the seventh day of Passover. Said R. Levi bar Hama, according to others R. Hama bar Hanina: This may be approved, because the eighth day of the Feast of Tabernacles is different in three things from the preceding days: It needs not Succah, it needs not Lulab, nor the pouring of water. If it is so, the seventh day of Passover is also different, because it is not a duty to eat Matzah thereon, as the Master said (p. 33) that only the first night it is a duty to eat Matzah? What comparison is this? There it is different only from the first night, but not from the first day; but here it is different from the day also. Rabhina said: The eighth day of the Feast of Tabernacles is different from the preceding day; but the seventh day of Passover differs only from the first day, but not from the one preceding it. How shall we act? Said R. Na'hman: The benediction of the time may be said on the eighth day, and R. Shesheth said it must not, and the Halakha prevails that it may be said. We have learned in a Boraitha in support to R. Na'hman: The eighth day is a holy day by itself, has lots cast for itself (which priest should perform

the service of the sacrifice, as is explained in Shekalim), the benediction of time for itself, offerings for itself, a separate song for itself (all seven days one song was sung by the Levites at the sacrifice), and also a blessing for itself ("the eighth day of assembly" was pronounced in the benediction).

MISHNA: The Hallel and the enjoying of peace-offerings were eight days. How so? We infer from this, that a man is bound to recite the Hallel and enjoy the peace-offerings the last day of the festival the same as the preceding days.

GEMARA: Where is this deduced from? The rabbis taught: It is written [Deut. xvi. 15]: "Thou shalt only rejoice"; it comes to add the night of the last day of the festival, and to exclude the night of the first day. But perhaps it is meant only for the first day? The word (*ach*) "only" separates it. But why do you include the last day, and exclude the first day? I include the last night, before which there was enjoyment; but I exclude the first night, before which was no enjoyment.

MISHNA: The Succah is dwelt in seven days. How so? When a man has taken his last meal therein, he is not directly to pull down his Succah; but, after noon, he may move the furniture back into the house, in honor of the last day of the festival.

How was the pouring out of the water? A golden pitcher that held three lugs was filled with water from the brook Siloah. When they came with it to the water-gate, they blew a blast, a long note, and again a blast. The priest then ascended the stair of the altar, and turned to the left. Two silver basins stood there. R. Jehudah says: They were of gypsum, but had a dark appearance from the wine. Each was perforated with a small hole, like a nostril (at the bottom), the one for the wine somewhat wider, the other for the water narrower, that both might get empty at once. The one, to the west, was used for water; the other, to the east, for the wine. But if the water was poured into the wine basin, or the wine into the water basin, one's duty was reckoned to be fulfilled. R. Jehudah says: They poured out one lug on each of the eight days. To him who poured out the water the people called: "Raise thy hand"; for once it happened that one priest charged with this duty poured the water over his feet, and all the people pelted him with their citrons. As they did on the week-days, so they did likewise on the Sabbath, except that they fetched the water from the Siloah on the Sabbath eve in a golden cask that had not been consecrated, and placed it in a chamber; if it was upset or uncovered, they filled again from the

laver. For it was not lawful to bring on the altar water or wine which had been uncovered.

GEMARA: Whence is it deduced? Said R. Eina: It is written [Is. xii. 3]: "Ye shall draw water with gladness."

"*Ascended the stair*," etc. The rabbis taught: All who ascended the altar ascended on the right, went round, and descended on the left; except that those who ascended for the following three purposes (duties) ascended on the left, and went back on the same side: to pour water, to pour wine, and to offer a burnt-offering of a fowl when it was too much on the east side of the altar.*

"*Each was perforated*," etc. Shall we assume that the Mishna is according to R. Jehudah and not according to the sages, as it teaches farther on: "R. Jehudah said with a lug," etc.; because if the Mishna would be according to the sages, the quantity of the wine and water was equal? (And why was one wider, and the other narrower?) Nay, we may say the Mishna is according to the sages; but wine is thick, and water is thinner, and this is the reason for the unequal sizes of the holes. It seems to us it is so, for according to R. Jehudah one must be wide and the other narrow, as we learn in the following Boraitha: R. Jehudah said: Two urns were there, one for water and one for wine: that for wine had its mouth wide, and that for water narrow, that they should be emptied at the same time.

Rabha lectured: It is written [Song of Songs, vii. 2]: "How beautiful are thy steps in sandals, O prince's daughter!" How beautiful were the steps of Israel, when they pilgrimaged for the festival! "Prince's daughter" means, daughter of Abraham our father, who was called prince; as it is written [Ps. xlvii. 10]: "The nobles of the people are gathered together, the people of the God of Abraham." The God of Abraham, and not the God of Isaac and Jacob? It means, the God of Abraham, who was the first of the proselytes.

The disciples of R. Anan taught: It is written [Song of Songs, ibid.]: "The roundings of thy thighs." As the thighs are in a hidden place, so the words of the Law must all be hidden, and this is similar to what R. Elazar said, as follows: It is written [Micah, vi. 8]: "He hath told thee, O man, what is good, and what the Lord doth require of thee: nothing but to do justice, and

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* The burnt-offerings and east side of the altar will be explained in Tract Tamid, Chap. I.

to love kindness, and to walk humbly with thy God." To do justice, *i.e.*, judgment; to love kindness, *i.e.*, the bestowing of favors; and to walk humbly with thy God, that means, to bear a dead body, and to conduct a bride under the canopy. Is this not an *a fortiori* conclusion? If things usually done publicly are to be done surreptitiously, so much the more things usually done privately?

R. Elazar said: The doing of charity is greater than all the sacrifices; as it is written [Prov. xxi. 3]: "To exercise righteousness and justice is more acceptable to the Lord than sacrifice." The same says again: The bestowing of favors is greater than charity; as it is written [Hosea, x. 12]: "Sow then for yourselves righteousness, that you may reap the fruit of kindness." If a man sows, it is doubtful whether he will eat from his sowing, or not; but if a man reaps, he is sure to eat of it (and so it is with charity, sometimes it is useful, sometimes not, but kindness is always so).

R. Elazar says again: Charity is rewarded only according to the kindness with which it is done; as it is written: "Sow for yourselves righteousness, that you may reap kindness."

The rabbis taught: In three things is the bestowing of favors greater than charity: Charity is only with money, but the bestowing of favors is either with one's money or with one's person; charity is only to poor men, but the bestowing of favors is to poor and rich; charity is only for the living, but the bestowing of favors is both for the living and the dead. The same says again: One who does charity and judgment is as if he filled the whole world with kindness; as it is written [Ps. xxxiii. 5]: "He loveth righteousness and justice; the earth is full of the kindness of the Lord." But if you mean that every one who wants to do charity is given the opportunity to do real charity, it is therefore written [ibid. xxxvi. 8]: "How precious is thy kindness!" It is different, however, with a man fearing Heaven; as it is written [ibid. ciii. 17]: "But the kindness of the Lord is from everlasting to everlasting over those that *fear him*." R. Hama bar Papa said: A man who finds favor everywhere, it is certain that he fears God; as it is written: "The kindness of the Lord is from everlasting to everlasting over those that fear him."

He says again: It is written [Prov. xxxi. 26]: "She openeth her mouth with wisdom, and the law of kindness is on her tongue." Are there two laws, one of kindness, and one not of kindness? That means, if one studies the law in honor of the

Lord, it is a law of kindness; but if one studies the law for his own interest, it is a law not of kindness. According to others, if he studies the law to teach it, it is a law of kindness; but if he studies it for himself, it is not.

"*If it was upset or uncovered*," etc. Why so? He can strain the water? Shall we assume that our Mishna is not according to R. Nehemiah from the following Boraitha: Even if the water was strained, the law of uncovered water does still apply to it. R. Nehemiah, however, said: This is only when the lower vessel was uncovered, but when the lower vessel was covered, though the upper one was uncovered, the law of uncovered water does not apply to it, because the venom of a snake, like a sponge, rises to the top. The Mishna can apply also to R. Nehemiah, but he spoke of preparing for an ordinary man, but in honor of the Lord could he say so? Did not R. Nehemiah consider the verse in Malachi [i. 8]: "Do but present it unto thy governor, will he be pleased with thee, or receive thee with favor? says the Lord of hosts."

## CHAPTER V.

REGULATIONS CONCERNING THE ENJOYMENTS AND THE SONGS IN THE TEMPLE DURING THE TIME OF THE SACRIFICES, AND THEIR ORDER.

MISHNA: The pipes were played sometimes on five days, and sometimes six. This means, the pipes played on during the time of water-drawing, which does not supersede either the Sabbath or the festival.

GEMARA: The rabbis taught: The playing of pipes supersedes the Sabbath, so is the decree of R. Jose bar Jehudah; but the sages said, even the festival it does not supersede. Said R. Joseph: They differ only about the music of the sacrifices. R. Jose holds that the music of the sacrifices is instrumental, consequently it is a service, and supersedes the Sabbath; but the sages hold it is vocal, and therefore not a service, and does not supersede the Sabbath; but the music of the drawing of the water all agree is only an enjoyment, and does not supersede the Sabbath. But R. Jeremiah bar Abba said: They differ only about the music of the drawing of water. R. Jose bar R. Jehudah holds that this enjoyment also supersedes the Sabbath, and the sages hold it does not; but about the music of the sacrifice all agree it is a service, and does supersede the Sabbath.

What is the reason of those who say that the main music must be instrumental? Because it is written [II Chron. xxix. 27]: "And Hezekiah ordered to offer the burnt-offering on the altar. And when the burnt-offering began, the song of the Lord began with the trumpets, and with the instruments of David the King of Israel." And what is the reason of those who said the main music is vocal? Because it is written [ibid. v. 13]: "And it came thus to pass, as the trumpeters and singers were as one, to make one sound." But what will they do with the former passage? Hezekiah meant, the voices accompanied the instruments. And those who hold it was only instrumental, what will they say to the last-quoted passage? They explain it thus: The singers were as the trumpeters, *i.e.*, used instruments also.

MISHNA: He who has not witnessed the rejoicings at the water-drawing has, throughout the whole of his life, witnessed no real rejoicing. At the expiration of the first holiday of the festival they descended into the women's court, where a great transformation was made. Golden candelabra were placed there, with four golden basins at the top of each; and four ladders were put to each candelabrum, on which stood four lads from the rising youth of the priesthood, holding jars of oil containing 120 lugs, with which they replenished each basin.

The cast-off breeches and belts of the priests were torn into shreds for wicks, which they lighted. There was not a court in Jerusalem that was not illuminated by the lights of the water-drawing. Pious and distinguished men danced before the people with lighted flambeaux in their hands, and sang hymns and lauds before them; and the Levites accompanied them with harps, psalteries, cymbals, and numberless musical instruments. On the fifteen steps which led into the women's court, corresponding with the fifteen songs of degrees, stood the Levites, with their musical instruments, and sang. At the upper gate which leads down from the court of the Israelites to the court of the women stood two priests, with trumpets in their hands. When the cock first crowed they blew a blast, a long note, and a blast. This they repeated when they reached the tenth step, and again (the third time) when they got into the court. They went on, blowing their trumpets as they went, until they reached the gate that leads out to the east. When they reached that gate they turned westward, with their faces towards the Temple, and said: Our ancestors, who were in this place, turned their backs on the Temple of the Lord, and their faces towards the east; for they worshipped the sun towards the east; but we lift our eyes to God. R. Jehudah says: They repeated again and again: "We belong to God, and raise our eyes to God."

GEMARA: The rabbis taught: Who has not seen the rejoicing at the drawing of water, has not seen a real rejoicing in his life. He who has not seen Jerusalem in its beauty, has not seen a beautiful great city in his whole life; and who has not seen the building of the Second Temple, has not seen a handsome building in his life. What is meant by this? Said Abayi, according to others R. Hisda: It means the building of Herod. Of what materials was it built? Said Rabba: Of black and white marble; and according to others, of other colors also. He made one tier of stones projecting outward, and one tier of stones

remaining inside. He wished to overlay it with gold, but the sages said to him: Leave it so, because it is more beautiful, having the appearance of waves of the sea.

We have learned in a Boraitha: R. Jehudah said: Who has not seen the *διπλο στοα* (diuplustin, double portico) of Alexandria in Egypt, has not seen the glory of Israel. It was said it was a great *βασιλιχη* (a palace with colonnades), and the palace could contain twice the number of men who went out from Egypt (the Israelites), and there were seventy-one golden *cathedras* (armchairs with footstools) for the seventy-one sages of the Great Sanhedrin, and each *cathedra* was no less than twenty-one myriads of talents of gold; and a wooden *βημα* (pulpit) was in the middle of the palace, where the sexton of the congregation stood, with a flag in his hand, and when the time came in the prayer to respond "Amen," he raised the flag, and the whole people said "Amen." And they did not sit promiscuously, but separately; the golden chairs were separate, the silver chairs were separate, smiths sat separately, carpenters separately, and all of the different trades sat separately, and when a poor man went in, he recognized who his fellow-tradesmen were, and went to them, and thus got there work for the support of himself and his family. Said Abayi: And all these were killed by Alexander of Macedon. Why were they so punished? Because they had transgressed the passage [Deut. xvii. 16]: "The Lord had said unto you, Ye shall henceforth not return on that way any more." And they returned, and resided in Egypt. When Alexander came, he found them reading the passage [ibid. xxviii. 49]: "The Lord will bring up against thee a nation from afar," etc., and he said: "I had to go ten days on board the ship, and the winds blew and brought me here in five days (certainly I was meant by the quoted passage)"; and he killed them.

"*At the expiration of the first holy day*," etc. What was the transformation? Said R. Eleazar: Similar to what we have learned in the following Boraitha: The court of the women was formerly without a balcony, but they surrounded it with a balcony, and ordained that the women should sit above and the men below.

The rabbis taught: Formerly the women sat in inward chambers and the men in outer ones; but thereby was produced some levity, and therefore it was ordained the men should sit inwardly and the women outwardly; but still levity arose, and therefore it was ordained that the women sit above and the men

below. How could they do so? Does not the passage say [in I Chron. xxviii. 19]: "All was put in writing from the hand of the Lord, who gave me instruction respecting all the works of the pattern"? Said Rabh: They found another passage and lectured about it, namely [Zech., xii. 12]: "And the land will mourn, every family apart by itself, the family of the house of David apart, and their wives apart." And they said: Is this not an *a fortiori* conclusion? At the time of mourning, when the passions are powerless, it is said the women and the men should be separate; so much the more in the Temple, where they were occupied in rejoicing, and the passions can have power over them.

What was the mourning for? R. Dosa and the rabbis differ: One holds that it was for the Messiah the son of Joseph, who was killed;* and one holds that it was for the evil angel, who was killed.† It would be right according to one who holds that it was for the Messiah the son of Joseph, because he explains as supporting him the passage [Zech. xii. 10]: "And they will look up toward me (for every one) whom they have thrust through, and they will lament for him, as one lamenteth for an only son, and weep bitterly for him, as one weepeth bitterly for the first-born"; but according to one who says that it was for the death of the evil angel, why mourning? must it not be, on the contrary, an enjoyment? Why then weeping? This can be explained as R. Jehudah lectured: In the future the Holy One, blessed be He, will bring the evil angel and slaughter him in the presence of both the upright and the wicked. To the former he will look like a high mountain, and to the latter he will look like a thin hair. Both, however, will cry. The upright will cry, saying: How could we overpower such a high mountain? and the wicked will cry, saying: How could we *not* subdue such a thin hair? And also the Holy One, blessed be He, will join them in wondering, as it is written [Zech. viii. 6]: "Thus hath said the Lord of hosts: If it

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* There was a tradition among the ancient Hebrews that two Messiahs would appear before the redemption of Israel: one of the tribe of Joseph and one of the tribe of Jehudah, a descendant of David; and the expression "who was killed" means who will have been killed. The Jewish Christians at that time, who did not believe in the divinity of Christ, but in his Messiahship (*i.e.*, that the traditional Messiah ben Joseph meant the son of a man by the name of Joseph, but not of the tribe of Joseph, as Christ was, and that his fate was to be killed before the appearance of Messiah b. David), explain this passage to have reference to Christ.

† See Tract Yomah, p. 100.

should be marvellous in the eyes of the remnant of this people in those days, should it also be marvellous in my eyes.*

R. Assi said: In the beginning the evil angel appears as insignificant and thin as a cobweb, † and finally he becomes as thick as a wagon-rope, as it is written [Is. v. 18]: "Wo unto those that draw iniquity with the cords of falsehood, and as with a wagon-rope, sinfulness.

The rabbis taught: The Messiah b. David, who (as we hope) will appear in the near future, the Holy One, blessed be He, will say to him: Ask something of me and I will give it to thee, as it is written [Ps. ii. 7–8]: "I will announce the decree . . . Ask it of me, and I will give," etc. But as the Messiah b. David will have seen that the Messiah b. Joseph who preceded him was killed, he will say before the Lord: Lord of the Universe, I will ask nothing of Thee but life. And the Lord will answer: This was prophesied already for thee by thy father David [Ps. xxi. 5]: "Life hath he asked of thee, thou gavest it to him."

R. Awira, according to others R. Joshuah b. Levi, lectured: There are seven names for the evil angel (tempting man). The Holy One, blessed be He, names him "evil," as it is written [Gen. viii. 21]: "The imagination of man's heart is evil from his youth"; Moses calls him "obduracy," as it is written [Deut. x. 16]: "Remove the obduracy of your heart"; David calls him "unclean," as it is written [Ps. li. 12]: "Create unto me a clean heart"; and when he says "a clean heart," it must be an unclean one. Solomon calls him "enemy," as it is written [Prov. xxv. 21]: "If thy enemy be hungry, give him bread to eat, and if he be thirsty, give him water to drink; for though thou gatherest coals of fire upon his head, yet will the Lord repay it unto thee." Do not read שלם (repay it), but שלים (he will make him peaceful toward thee). Isaiah calls him "stumbling-block," as it is written [Is. lvii. 14]: "And he will say, Cast ye up, cast ye up, clear out of the way, lift up every stumbling-block out of the way of my people." Ezekiel names him "stone," as it is written [Ezek. xxxvi. 26]: "I will remove the heart of stone out of your body." Joel calls him "host of the north," as it is written [Joel, ii. 20]: "And the host of the north will I remove." (The expression in Hebrew is Tzephoni, which also signifies the "hidden

* Leeser in his translation has it in the form of an interrogation, but the Talmud takes it in simple form.

† According to Rashi; according to Scheinhack, however, it means the thread of the χροχη; and so it seems also from the Aruch.

one," and they interpret it as the evil spirit which is hidden in the heart of man.)

The rabbis taught: And I will drive it into a land barren and desolate: the evil angel hidden in a man's heart I will drive into the desert, *i.e.*, where men do not live, that he might tempt them; "with its advance towards the eastern sea," *i.e.*, he set his eyes on the First Temple, and destroyed it, and killed the scholars that were there; "and its rearward toward the western sea," *i.e.*, he set his eyes on the Second Temple, and destroyed it, and killed the scholars that were there; "and its stench shall ascend, and its ill savour shall come up, because he hath done great things," *i.e.*, he leaves out the other nation, and comes to tempt only the Israelites.

"*He hath done great things.*" Said Abayi: Scholars he tempts more than any one else. As it once happened, Abayi heard a man say to a woman: "Let us rise early, and we will go on the road"; and Abayi thought: "I will follow them, and prevent them from a sin." He went after them about three miles through reeds, and he heard them saying: "Our conversation has been very agreeable, and now we must take separate roads." Said Abayi: "My enemy (meaning himself) would not have contained himself thus." He leaned against the bolt of the door, and was very sorry that he would have been worse than a common man. And an old man came to him and taught him: "The greater a man is, the more is he tempted by the evil angel." R. Itz'hak said: The evil passions of man try to get the better of him all the day long, as it is written [Gen. vi. 5]: "Was only evil all day long." R. Simeon b. Lakish said: They try to get the better of him, and to slay him, as it is written [Ps. xxxvii. 32]: "The wicked looketh out for the righteous, and seeketh to slay him"; and were not the Holy One, blessed be He, to aid him, man could not resist, as it is written further: "The Lord will not leave him in his hand, and will not condemn him when he is judged."

The disciples of R. Ishmael taught: If this hideousness has attacked thee, take it to the house of learning; if it is a stone it will be ground to powder, and if it is iron it will be split to pieces. "If a stone, it will be ground," as it is written [Is. lv. 1]: "Ho, every one of ye that thirsteth, come ye to the water" (*i.e.*, the Law); and it is written [Job, xiv. 19]: "The water weareth out stones." "And of iron, it will be split into pieces," as it is written [Jeremiah, xxiii. 29]: "Is not thus my word like the fire?

saith the Lord, and like a hammer that shivereth the rock?" Said R. Samuel bar Na'hmani in the name of Jehonathan: The evil angel tempts man in this world, and bears testimony in the world to come, as it is written [Prov. xxix. 21]: "If one rear his slave delicately from his youth, then will he at length become *Manon*"; and in the *Alpha Betha* of R. Hiya, which was called Atbach, a witness was called *Manon*.*

Rabh Huna pointed out a contradiction: It is written [Hosea, iv. 12]: "For the spirit of lewdness *has caused them to err*," and [ibid. v. 4]: "The spirit of lewdness is in *their bosom*." At first it causes to err, and afterwards it remains in the bosom. Rabha said: In the beginning he is called "traveller," and then "guest," and then "man," as it is written [II Sam. xii. 4]: "And there came a traveller unto the rich man; and he felt compunction to take from his own flocks and from his own herds to dress for the guest that was come to him; but he took the ewe of the poor man, and dressed it for the man that was come to him" (Rabha assumes the whole verse to refer to the evil angel).

R. Johanan said: If it were not for the following three passages, the enemies of Israel (meaning Israel) could not withstand: First [Micah, iv. 6]: "And her to whom *I* have done evil"; and the second [Jeremiah, xviii. 6]: "As the clay is in the potter's hand, so are ye in my hand, O house of Israel"; and the third is [Ezek. xxxvi. 26]: "*I* will remove the heart of stone out of your body, and I will give you a heart of flesh." R. Papa says: Also from the following verse [ibid., ibid. 27]: "And *my* spirit I will put within you."

It is written [Zech. ii. 3]: "And the Lord showed me four carpenters." Who are the four carpenters? Said R. Hanah bar Bizna in the name of R. Simeon the Pious: Messiah b. David, and Messiah b. Joseph, Elijah, and Cohen Zedek.

It is written [Micah, v. 4]: "And in this (manner) shall there be peace: If Asshur should come into our land; and if he should tread in our palaces, then will we raise up against him seven shepherds, and eight anointed men. Who are the seven shepherds? David in the centre; Adam, Sheth, Methushelach, at his right; Abraham, Jacob, and Moses at his left. And who are the eight

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* In Leeser's version of the Bible he translates Manon "son," for which we do not know the authority; but the Mashbir translates Manon μενοινάω, *i.e.*, "violent," and quotes a Midrash where the evil angel is meant.

anointed men? Jesse, Saul, Samuel, Amos, Zephaniah, Zedekiah, Messiah, and Elijah.*

"*And four ladders*," etc. It was taught in a Boraitha, that the height of every candelabrum was fifty ells.

"*And four lads*," etc. The schoolmen propounded a question: Is it meant that each of them held a pitcher that contained 120 lugs, or the 120 lugs was the joint capacity of all the four? Come and hear: And in their hands were pitchers of oil containing each 30 lugs, which altogether amounted to 120. And a Boraitha states that they were praised more than the son of Martha the daughter of Baithus. It was said of the latter that he used to take two legs from the large ox which was bought for a thousand Zuz, in his hands, and went with them slowly, step by step. And his fellow-priests did not let him do so, because it is written [Prov. xiv. 28]: "In the multitude of the people is the king's glory" (*i.e.*, if more men carried, God's glory were greater). What is meant by, "They were praised more than the son of," etc.? Shall we assume the 30 lugs were heavy—the legs were heavier? Yea, but there was only one step, and it was square; but here was a ladder, and standing upright (and it was more difficult for children to carry the burden).

"*There was not a court in Jerusalem that was not illuminated.*" A Boraitha taught: A woman could pick wheat by this light.

"*Pious and distinguished men*," etc. The rabbis taught: Among were such as said thus: "Well be to our youth which does not disgrace our age." They were pious and distinguished men, and there were among them people who said: "Well be to our age that has atoned for our youth." And these are the penitents. Both used to say: "Well be to those who have not sinned at all; but who has sinned shall repent, and he will be forgiven." We have learned in a Boraitha: It was said of Hillel the Elder (the Prince): When he rejoiced at the drawing of the water, he used to say thus: If I am here, all are here; but if I am not here, who is here? He used also to say: To the places which I am fond of, my feet bring me; if thou wilt visit my house, I will visit thy house; but if thou wilt not visit my house, I shall never visit thine. As it is written [Ex. xx. 21]: "In every place where I

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* It is strange to Rashi why Isaac is not mentioned here among the patriarchs. He says it seems to him that it is stated elsewhere that it is because Isaac went to redeem his children from Gehenna. It is so. This can be found in Midrash II Chronicles and in Jalkut Shimoni Micah, v. The strangeness of this saying, however, remains.

shall permit my name to be mentioned, I will come unto thee, and I will bless thee."* R. Johanan said: The feet of the man are securities for him: where he is needed, they bring him thither. Two Ethiopians were in the service of King Solomon, named Elihoreph and Achiyah the son of Shisha, and were his scribes. One day Solomon saw the Angel of Death was sad, and he asked him for the reason, and he said: Because the two men are required from me. And Solomon took the two men and gave them away to devils, who should carry them away to the city of Luz, which the Angel of Death cannot enter. On the morrow he saw the Angel of Death was very cheerful, and when he asked him the reason, he told him: To the place where I was commanded to take the lives of these two men, thou hast sent them, for they died at the gate of Luz. Then said Solomon: The feet of a man are his securities; where he is needed, to that place they bring him.

We have learned in a Boraitha: It was said that Rabban Simeon b. Gamaliel, when he rejoiced at the drawing of water, would take eight flambeaux in his hands, and throw them into the air, and catch, and one would not touch another. When he used to prostrate himself, he fixed his thumbs on the ground, and bowed, and kissed the floor, and then raised himself, and no creature can do so. And this is what is called Qidah. Levi tried to make such a Qidah in the presence of Rabhi, and became lame on one leg. Levi also tried in the presence of Rabhi to throw and catch eight knives. Samuel tried to do so in the presence of Sha'bur the king with eight goblets full of wine; and Abayi in the presence of Rabha with eight eggs, according to others with four eggs. We have learned in a Boraitha: R. Joshua b. R. Hananiah said: When we were engaged in rejoicing at the drawing of water, our eyes saw no sleep. How so? The first hour for the morning daily sacrifice; afterwards for praying, and from that to the additional sacrifice; after that the additional prayer; afterwards we went to the house of learning; from there we went to eat and drink at home, and afterwards the Min'ha prayer; and from the Min'ha prayer to the daily evening sacrifices, and from that time we rejoiced at the drawing of the water till the morn-

* Rashi explains this that Hillel said so in the name of the Shekhina—that the Shekhina says: "As long as I am in the Temple, all are here; but if I am not here, who shall be here?" In the Palestinian Talmud, however, it is explained that he says it of himself; Tosphoth, however, said that the second part based on the verse shows that Rashi's explanation is correct.

ing. But this is not so? Did not R. Johanan say: If one says: I swear I will not sleep three days, he shall get stripes for a false oath, and shall go to sleep immediately? He meant to say: We have not tasted any sleep, for we slept each on the other's shoulders.

"*Fifteen songs of degrees*," etc. Said R. Hisda to one of the rabbis who read the Agada (legends) before him: Have you heard of the fifteen songs of the degrees, for what purpose David composed them? He answered: So said R. Johanan: When David was mining under the altar to get water, water burst out ready to overflow the world; there he composed the fifteen songs of degrees, and therewith checked it.

"*We belong to God and we raise our eyes to God.*" This is not so? Did not R. Zera say: One who said twice, "Shema, Shema," is the same as if he had said, "*Modim, Modim*," * of which a Mishna says, that he must be silenced? The Mishna meant thus: Our ancestors bowed toward the east to the sun, but only to God we bow, and our eyes we raise in hope to God.

MISHNA: In the Temple they never blew the trumpet less than twenty-one times a day, nor oftener than forty-eight times. They daily blew the trumpet twenty-one times: thrice at opening the gates, nine times at the daily morning offering, and nine times at the daily evening offering. When additional offerings were brought, they blew nine times more. On the eve of the Sabbath, they blew six times more: thrice to interdict the people from doing work, and thrice to separate the holy day from the work day. But on the eve of the Sabbath, during the festival (of Tabernacles) they blew forty-eight times: thrice at the opening of the gates, thrice at the upper gate, thrice at the lower gate, thrice at the drawing of water, thrice over the altar, nine times at the daily morning offering, nine times at the daily evening offering, nine times at the additional offerings, thrice to interdict the people from doing work, and thrice to separate the holy day from the work day.

GEMARA: Our Mishna is not in accordance with R. Jehudah of the following Boraitha: According to those who say they were few, they were not less than seven; and according to those who say that they were many, they were not more than sixteen.

What is the point on which they differ? R. Jehudah holds that blowing and alarming are one and the same thing, while

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* This is explained in Tract Berachoth, Chap. V., Mishna 3.

the sages hold that they are two separate things. But what is the reason of R. Jehudah? Because it is written [Num. x. 5]: "And when ye blow an alarm." The rabbis, however, maintain that the passage means to say, that before and after the alarming a common blowing must be used. What is the reason of the rabbis' decree? Because it is written [ibid. 7]: "But at the assembling of the assembly, ye shall blow, but he shall not sound an alarm"; hence blowing and alarming are two separate things, for if they were not, how could the Merciful One command to do only half of the merit.

According to whom would be the saying of R. Kahana that there is no difference between a *Tekiah* (a blowing) and a *Teruah* (an alarming) whatever? This is certainly in accordance with R. Jehudah.

"*But on the eve of Sabbath, during the festival.*" The Mishna does not count the times that they blew when they ascended the tenth step, and therefore we must assume the Mishna is in accordance with R. Eliezer b. Jacob from the following Boraitha: Three times they blew, when they ascended the tenth step. R. Eliezer b. Jacob, however, said: These three times they blew over the altar. From this we see that those who said it was blown over the altar, do not hold it was blown on the tenth step; and he who says it was blown on the tenth step, does not mean to say it was blown over the altar. What is the reason of Eliezer b. Jacob? He meant, when it was blown at the opening of the gates, it was not necessary to blow again on the tenth step. And what is the reason of the rabbis? They hold that when it was blown at the drawing of the water, it was unnecessary to blow over the altar. And therefore they gave preference to the ascending of the tenth step. When R. A'ha bar Hanina came from the South, he brought a Boraitha with him, thus: It is written [Num. x. 8]: "And the sons of Aaron the priest shall blow with the trumpets." This verse is superfluous, because there it is already written [ibid. 10]: "Shall ye blow with the trumpets over your burnt-offerings, and over the sacrifices of your peace-offerings." And why is the first-cited verse needed? To signify that they have to blow when there are additional sacrifices. He taught the Boraitha, and he explained it that it meant to say, that it was a duty to blow at every additional sacrifice.

An objection was raised based upon our Mishna: But on the eve of Sabbath during the festival they blew forty-eight times. Now, if it was so (to blow at each additional sacrifice)

let the Mishna state that if the Sabbath falls during the festival there were fifty-one (because there was one additional sacrifice)? Said R. Zera: Because they did not blow at the opening of the gates on Sabbath. Said Rabha: Who is that who is not careful in his statements? The saying of R. Zera cannot hold good at all events. First, the Mishna states that there was blowing *every day*, which certainly includes Sabbath, and, secondly, even if the Sabbath, falling during the festival, were equal to the eve of Sabbath (in regard to blowing), the Mishna would not mention the eve of Sabbath, instead of the Sabbath itself, of which we could learn two things: that of R. Eliezer b. Jacob, that the blowing was not on the tenth step, but over the altar, and, secondly, what R. A'ha b. Hanina stated above, that they blew at each additional sacrifice.

Therefore said Rabha that the reason (for not mentioning Sabbath in our Mishna) is because they did not draw water on Sabbath, but on the eve of Sabbath, as stated *supra;* and then there were many blowings less (namely, the blowing when they reached the upper and the lower gate, the water-gate, and over the altar).

But let the Mishna state, when New Year falls on a Sabbath, when there are three additional sacrifices, namely, the New Year, the new moon, and the Sabbath sacrifice. The Mishna, in reality, left this out, as well as it left out the case when the eve of Passover falls on a Sabbath, when there were many additional blowings at the slaughtering of the Paschal lamb.

"*Nor oftener than forty-eight times.*" Is that so? Did they not blow, when the eve of Passover fell on Sabbath, according to R. Jehudah fifty-one, and according to the rabbis fifty-seven, times? When the Passover offering was brought, it is explained in Tract Pesachim (Chap. V., Mishna 5, p. 119) that it was blown many times during the time when the three divisions brought their offerings. This, which was done every year, is counted in the Mishna; but the eve of a Passover that fell on Sabbath, which is not every year, but only seldom, is not reckoned. But does the eve of Sabbath fall every year on the festival; it may happen that the first day of the festival falls on Friday, and then there is no eve of Sabbath during the whole festival? If this happens, then we prolong the festival for another day, because if the first day of the Feast of Tabernacles would be on Friday, the Day of Atonement would fall on Sunday, and no Day of Atonement must fall on Friday or on Sunday. An objection was raised:

We have learned that if the first day of the month falls on Sabbath, the song of the first of the month supersedes the song of the Sabbath. Now, if it would be as R. A'ha interpreted the Boraitha before, that they blew at every additional sacrifice, why does it supersede? Let the song of the first of the month be sung, and that of Sabbath also? Said R. Saphra: The Boraitha which says "supersedes the Sabbath" means, it is said before the song of the Sabbath. Why so? Is there not a rule as to that which is frequent and that which is rare, that the frequent has the preference? Said R. Johanan: This was an exception to the rule, that the people should know that this month is consecrated by Beth Din in its time.

Another objection was raised: Rabha bar Samuel taught: One may say, as we must blow every Sabbath separately, and every first month separately, so shall we blow at every additional sacrifice? Therefore it is written [Num. x. 10]: "On the beginnings of your months" (on the beginnings of the months only, but not at additional sacrifices). This objection to R. A'ha's teaching remains. How is it inferred from this passage? Said Abayi: Because it is written, "on the beginnings of the months," in the plural, all the months shall be equal (and if a first day of the month falls on Sabbath, and it would be blown for every additional sacrifice, the months would not be equal). R. Ashi says: We may infer it from the following: It is written "your months," and the "beginnings," in the plural. Which month can happen to have two beginnings? That is New Year, which is the beginning of the year and of the month, and it is nevertheless written, "your months." From this we infer, all the first days of the months must be equal. We have learned in another Boraitha: On the intermediate days the songs were as follows: On the first day they used to say from Psalm xxix.: "Ascribe unto the Lord, O ye sons of the mighty"; on the second, from Ps. l. 16; on the third, Ps. xciv. 16; on the fourth, ibid. 8; on the fifth day, Ps. lxxxi. 7. On the sixth day they used to say lxxxii. 5: "All the foundations of the earth are moved"; and if Sabbath fall on one of these days, "All the foundations of the earth are moved" should be superseded. (Now, from what is said, that when Sabbath falls it is superseded, we see that it was not blown for additional offerings.) The objection of R. A'ha remains. But did not R. A'ha bar Hanina cite both a verse and a Boraitha? Said Rabbina: The Boraitha which says it was blown at additional offerings, meant to say it was blown a little longer, but not a

greater number of times. The rabbis of Cæsarea in the name of R. A'ha said: It was added to the number of trumpets.

And we in exile, who keep two days of festival, how shall we say in the additional prayer the passages [Num. xxix. 17–32] about the sacrifices? Amemar ordained in Nehardai: The second day we should leave out verse 17, but on the third day we should say (17–20) "both on the second and third"; on the fourth day (20–23) "the third and the fourth," etc., because in exile it was doubtful when the first of the month was consecrated.

MISHNA: On the first holy day of the festival there were thirteen bullocks, two rams, and one goat to be offered. There then remained fourteen lambs for eight orders of priests. On the first day of the festival six of these orders offered two lambs each, and the other two orders one lamb each. On the second day five of the orders offered two lambs each, and the remaining four orders one lamb each. On the third day four orders offered two lambs each, and the remaining six orders one lamb each. On the fourth day three orders offered two lambs each, and the remaining eight orders one lamb each. On the fifth day two orders offered two lambs each, and the remaining ten orders one lamb each. On the sixth day one order offered two lambs, and the remaining twelve orders one lamb each. On the seventh day they were all equal. On the eighth day they cast lots, as on other festivals. It was so regulated that the order which offered bullocks one day were not permitted to offer bullocks the next day, but it went in rotation.

GEMARA: These seventy bullocks, for what purpose were they offered? Said R. Elazar: For the sake of the seventy nations which existed then. And to what purpose was offered the one bullock [Num. xxix. 36]? For the sake of the single nation (Israel). It can be compared to a human king who says to his slaves: Make for me a great meal for several days. On the last day he says to his friend: You make for me a little meal, that I should have a benefit from yourself only. Said R. Johanan: Woe be to the nations, they have lost, and they do not know even what they have lost! When the Temple was in existence, the altar atoned for their sins, but now who shall atone for their sins?

MISHNA: Three times in the year all the twenty-four orders of priests were alike entitled to share the pieces of offerings of the festival, and in the shewbread; and on the Feast of Pentecost the distributors say to each priest: "Here is leavened bread

for thee, and here is unleavened bread for thee." The order of priests whose regular time of service occurs in the festivals offer the continual daily offerings, vows, and voluntary offerings, and all congregational offerings, and every sacrifice.

GEMARA: The pieces of the offerings? They were brought to the altar? Said R. Hisda: Do not read "*pieces** of the offering," but "the offerings that were said to be sacrificed on the festivals." The rabbis taught: Whence do we deduce that all the orders of the priests had equal shares of the offerings of the festival? Because it is written [Deut. xviii. 6]: "And come with all the longing of his soul . . . he shall minister." Lest one say, on any day of the year it should be also so, therefore it is written, "from any one of thy gates," to signify, this is only when all Israel comes through one gate.

"*And in the shewbread.*" The rabbis taught: Whence do we deduce that all the orders of the priests have equal shares of the shewbread? From what is written [Deut. xviii. 8]: "They shall have like portions to eat." That means, according to his share in the service shall be his share in eating. But what is meant by eating? Shall we assume, that means to eat his share of the sacrifice? This is already deduced from Leviticus, vii. 9: "Shall belong to the priest that offereth it alone." Hence it means only the eating of the shewbread. But lest one say, they shall have a share also in the duty-offerings which are not dependent on the festival, therefore it is written [Deut. xviii. 8]: "Beside that which cometh of the sale of his patrimony." What is meant by selling the patrimony? That they have divided the weeks: I and my children shall take this week, and you shall have the other week.

"*And on Pentecost,*" etc. It was taught: (If one has to pronounce two benedictions, of the Succah and the time,) Rabh said, he shall pronounce first the benediction of the Succah, and after this that of the time; and Rabha bar bar Hana said, that of the time first. The reason of Rabh is because the duty of the day must be given preference; and Rabha bar bar Hana's, the frequent thing has the preference over the rarer thing (and the benediction of the time is said many times in the year, and that of the Succah only once a year). An objection was raised from our Mishna:

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* The expression in the Mishna for pieces is אימורי, and in Hebrew signifies also "saying"; and R. Hisda interprets it not *pieces*, but the *saying* what ought to be sacrificed.

On Pentecost it is said: "Here is leavened bread, and here is unleavened bread." Now, on the Pentecost, the duty of the day is with leavened bread, and nevertheless it mentions unleavened bread first, and this would be an objection to Rabh, who says that the duty of the day must be given preference? Rabh might say: On this differ the Tanaim, as we learn in the following Boraitha: Here is unleavened bread, here is leavened bread. R. Saul, however, said: Here is leavened bread, here is unleavened bread. R. Na'hman b. R. Hisda lectured: It shall be done not according to Rabh to pronounce the benediction of Succah before that of time, but that of time should be said before that of Succah. R. Shesheth the son of R. Idi says: The Succah before the time. And so the Halakha prevails.

"*The order of priests, whose regular time*," etc. What is meant by "all congregational sacrifices"? It means to add the bullock, which the congregation has to offer for ignorance [Lev. iv. 13, 14], and the goat for idolatry.

"*And every sacrifice*." What is meant by every sacrifice? It means, to supply the deficit on the altar. (See Tract Shekalim, Chap. IV., Mishna D.)

MISHNA: If a festival falls before or after a Sabbath, all the twenty-four orders share alike in the shewbread. But if a day intervenes between the Sabbath and the festival, the order whose regular turn it was, received ten of the shewbread, and the loiterers received two shewbread. At other times of the year the order which entered on their duty received six, and that which went off duty received also six. R. Jehudah says: That order which enters on duty received seven, and that which goes off receives five. Those who entered shared them on the north side, and those who went out, on the south side (of the Temple court). The order Bilgah always divided their share on the south side; their slaughter ring was fastened down, and the window of their chamber blocked up.

GEMARA: What is meant by "before or after"? Shall we assume that "before" means the first day of the festival, and after a Sabbath? The last day of the festival, is it not the same as a Sabbath during the festival? Therefore we must say that "before" means, the last day was before a Sabbath, and "after" means, the first day was after Sabbath. Why, then, shall the shares be equal? The Sabbath does not belong to the festival at all? Because those who have to work on the succeeding week must come before the Sabbath, and those whose duty was out

could not go away on the festival, and they all stayed in the Temple. Therefore the sages ordained they should have an equal share.

"*If a day intervene*," etc. And according to R. Jehudah, what is the reason that those who enter received two more? Said R. Itz'hak: That was the reward for opening the gates. But why did they not say, let it be equal for ever, for in the other week those who take seven this week will have five the next? Said Abayi: It is better to take a ripe small orange than to wait for an unripe large melon.

"*Those who entered shared them on the north*," etc. The rabbis taught: Those that entered took their shares on the north side, that it should be seen they were entering; and those who took them on the south side did it that everybody should see they were going out.

"*The order Bilgah*," etc. The rabbis taught: It happened to Miriam the daughter of Bilgah that she became an apostate, and was married to an officer of the Greek kingdom. When the Greeks entered the Temple, she took her sandal and knocked on the altar, and said: Lucus, Lucus, how long will you destroy the money of Israel, if you cannot help them in their trouble? When the sages heard this, they fastened down their ring and blocked up the window. But according to others, the order of Bilgah was always late to come, and the order of Jeshebab his brother substituted them; and although always the neighbors of the wicked are not benefited, the neighbors of Bilgah have benefited, because they took their share always in the south, and those of Jeshebab his brother always in the north. It is right according to those who say that the whole order was late, therefore it was punished; but according to those who say that only Miriam, Bilgah's daughter, became apostate, can it be that the Bilgah should be punished for his daughter? Said Abayi: Yea, because people say, what a child speaks in the street, it has heard either from its father or from its mother. But must the whole order be punished for the sin of her father and mother? Said Abayi: Woe be to the wicked, and woe be to his neighbor; well be to the righteous, and well be to his neighbor, as it is written [Is. iii. 10]: "Say ye to the righteous, that he hath done well; for the fruit of their doings shall they eat."

END OF TRACT SUCCAH.

# TRACT MOED KATAN (MINOR FESTIVALS)

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# TRACT MOED KATAN (MINOR FESTIVALS).

## CHAPTER I.

### REGULATIONS CONCERNING LABOR AND MARRIAGE IN THE INTERMEDIATE DAYS.

MISHNA: Beth Hashal'hin (Dry Land) may be irrigated during the middle days, and also during the Sabbatical year, as well from a fountain that is newly sprung forth as from one that is not newly sprung forth; but one must not irrigate it with rain-water, nor with water (drawn) from a deep well; nor may one make trenches (to hold water) round vines.

R. Elazar ben Azariah said: "One must not make (dig) a fresh trench (conduit, or water course) during the middle days, or during the Sabbatical year." The sages, however, hold, that a fresh trench (water course) may be dug during the Sabbatical year, and that those (conduits) which are choked up may be repaired during the middle days. One may likewise repair water reservoirs (which are) on the public ground, and cleanse them. One may also repair the roads (streets), the market (public) places, and the spring-baths. In short, it is allowed to do whatever the exigencies of the public (service) require. Tombs may be marked, and messengers are to be sent out on account of possible Kilaim.*

GEMARA: As the Mishna permits irrigation from a newly sprung fountain, although its sides are likely to cave in, it is self-understood then that it is the more so allowed from a fountain not newly sprung, the sides of which are not likely to cave in? For what purpose then did the Mishna state expressly that irrigation is also allowed from a fountain not newly sprung? If not for this statement we might assume that from a newly sprung fountain whose sides are likely to cave in, dry land may and lowland

* *Vide* Shekalim, Chap. I., M. *a*.

may not be irrigated, but from a spring not newly sprung even Beth Habal (lowland not requiring frequent irrigation) may also be irrigated, it therefore comes to teach us that there is no difference.

But whence do we deduce that "Beth Hashal'hin" means dry land. From the passage [Deut. xxv. 18]: "When thou wast 'faint' and weary"; the translation of Onkeles of which is: "When thou wast 'Mshalhi' and weary." (The letter "h" is changeable for "'h"; and "mshalhi" is equivalent to "mshal'hi.") And whence do we deduce that "Beth Habal" means "husband fields"? From the passage [Isaiah, lxii. 5]: "For as a young man 'espouseth' a virgin," etc., the translation of Jonathan whereof being "as a young man 'husbands' a virgin," etc.

Who is the Tana who holds that irrigation is permitted only for the purpose of preventing loss but not for the purpose of deriving gain; and even in case of loss no troublesome work is permitted? Said R. Huna: "It is R. Eliezer ben Jacob, as we have learned in the following Mishna: R. Eliezer ben Jacob said: Water may be conveyed from one tree to another, provided the whole orchard be not irrigated." (This is in the case of lowland and because it is only for gain; R. Eliezer said it must not.) From this statement it may only be deduced that R. Eliezer holds so in case of gain, but no deduction can be made therefrom as to where loss is involved? Therefore said R. Papa: It is in accordance with R. Jehudah of the following Boraitha: From a newly sprung fountain even lowland may be irrigated, this is the dictum of R. Meir. R. Jehudah holds that only dry land which became ruined may be irrigated. R. Elazar b. Azariah, however, agrees with neither of them. R. Jehudah went further than that and said: "One may not direct a water channel to irrigate his garden and ruined land, during the middle days."

What is meant by "ruined"? Does it mean actual ruin? why then irrigating it? Said Abayi: "It means, land one spring of which was ruined but another one sprung forth." R. Elazar b. Azariah, however, does not allow even in this case. But why all this argument? Perhaps R. Jehudah did not allow the irrigation of lowland only from a new spring, for the reason stated above; but from an old spring, the sides of which are not likely to cave in, it *is* permitted? If this be so, then according to whom would be the statement in our Mishna? We, therefore, must say, that according to R. Jehudah from both newly sprung and not newly sprung fountains dry land may and lowland may not be irrigated;

and the statement in the Boraitha: "From a newly sprung fountain," etc., is for the purpose of indicating the extent of R. Meir's permission, viz., that dry land may be irrigated, and even from a newly sprung fountain. It was taught: "One who weeds or waters plants on Sabbath, against what principal labor must he be warned?" * Said Rabba: "Ploughing, as these are derivative from it." R. Joseph, however, said: "Sowing, as these are derivative from it."

This would be correct as for the intermitting days, during which work is permitted in case of loss; but as for the Sabbatical year, during which both ploughing and sowing are prohibited, how can it be allowed? Said Abayi: "The Mishna treats of the Sabbatical year subsequent to the destruction of the Temple, and Rabbi said elsewhere that this is only rabbinical." Rabha, however, said: "The Mishna may be explained even according to the rabbis, who hold that it is biblical, but the Scripture prohibits only principal labors but not derivative; as it is written [Lev. xxv. 4]: "But in the seventh year there shall be a sabbath of rest unto the land, a sabbath of the Lord; thy field shalt thou not sow, and thy vineyard shalt thou not prune," etc. Let us see: Is not sowing the principal of pruning, and is not reaping the principal of gathering? For what purpose then did the Scripture expressly state pruning and gathering? We must say that it is to point out the derivatives for which one *is* liable.

But is one not liable even for other derivatives? Did we not learn in a Boraitha: It is written [Lev. xxv. 4]: "Thy field shalt thou not sow, and thy vineyard shalt thou not prune"? Whence do we deduce that weeding, grubbing up vines, cutting, plucking, sawing (off branches, when they are too numerous), and supporting (trees), manuring, removing rubbish from the roots, or covering the roots with earth, or smoking (for the purpose of killing the insects on the tree) are also not permitted to be done during the Sabbatical year? From the arrangements of the words in the passage: It is not written: "Thou shalt not sow thy field, and thou shalt not prune thy vineyard," but, "Thy field shalt thou not sow," etc., which indicates that all work pertaining to the field and all work pertaining to the vineyard shall not be done. But this generalization does not include grubbing up olive-trees, or vines, or filling water conduits, or digging trenches

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* No capital punishment, nor even that of stripes, is inflicted without a previous warning. *Vide* Introduction to Sabbath, p. xxvi.

round vines. Whence do we deduce these exceptions? From the statement, "Thy field thou shalt not sow." Was not sowing included in the general commandment, "A year of rest shall it be unto the land"? Why the repetition of sowing? For the purpose of comparison: As "sowing" includes both the field and the vineyard, so other labor similar to it is prohibited. (Hence we see that for other derivatives one is also liable?) Nay, all those enumerated in the Boraitha are only rabbinical prohibitions, and the biblical passage is only a slight reference.

Is grubbing up olive-trees permitted during the Sabbatical year? Is it not written [Exod. xxii. 11]: "But the seventh year shalt thou let it rest and lie still," etc., and it was construed to mean, "let it rest from being grubbed, and lie still from being cleaned from stones"? Said R. Uqba bar Hama: "Grubbing is done for two different purposes, viz., to promote the growth of, and to fill the cracks in the tree; the latter is permitted, the former is not.

We have learned in a Mishna (Shekalim I., 1): "Up to what time is it permitted to dig in an orchard during the year immediately preceding the Sabbatical year? The school of Shammai hold, during all the time the fruit may benefit thereby. The school of Hillel, however, decree, up to the feast of Pentecost." Both these limits are almost identical. And up to what time is it permitted to plough corn-fields during the year preceding the Sabbatical year? Until the ground ceases to be damp, and during all the time people till the soil to plant melons and cucumbers. Said R. Simeon: "If this be so, then the Law permitted every individual to fix his own time?" Therefore, the time is fixed as follows: Corn-fields may be tilled up to the Passover and orchards up to Pentecost. (The school of Hillel fix the time at the Passover.) And R. Simeon ben Pazzi in the name of R. Joshua ben Levi, quoting Bar Qappara, said: "Rabban Gamaliel and his tribunal have abolished those two limits." Said R. Zera to R. Abbahu (and according to others, Resh Lakish to R. Johanan): "How could Rabban Gamaliel and his court abolish a regulation established by the schools of Shammai and Hillel? Did we not learn in a Mishna: No one court is permitted to overrule the decision of another court, unless they exceed the other in number and wisdom? He was astound for one hour [Daniel, iv. 16], and then answered: Say, so was the condition of the first court, that those who differ with them may overrule them. R. Ashi, however, said: Rabban Gamaliel and his court are in

accordance with R. Ishmael, who holds that this was oral law, and as such it was binding only during the existence of the Temple, similar to that of "pouring water on the altar," but not after.

The rabbis taught: "It is not permitted to irrigate from the water basins, or trenches, which were filled with rain-water on the eve of the feast, unless there is a water-channel passing between them." Said R. Papa: "Even this is permitted only where the greater part of the land is irrigated therefrom." R. Ashi, however, said: "It is permitted even if this is not the case, for when water is likely to flow in (into the channel) one is not likely to do any troublesome work, and is rather likely to think to himself, 'if it cannot be irrigated in one day it will be so in two or three days.'"

The rabbis taught: "It is permitted to irrigate dry land from a water basin which receives its water supply from the dry land situated above it" (the upper land being irrigated from a well and some water is dripping down into the basin). But is it not likely to cease (and some troublesome work may be done in bringing water from another place)? Said R. Jeremiah: "The case is when it is still dripping." Abayi adds: "This case holds good only when the original spring has not ceased."

"*One must not make a fresh trench*," etc. This would be correct in reference to the middle days, because it is considered work, but what is the reason for the Sabbatical year? R. Zera and R. Abba bar Mamel: One holds, the reason is because it resembles delving; and the other says, because it is considered a preparation of the adjacent ground for sowing.

"*And those conduits that are choked up may be cleansed.*" What is meant by "choked up"? Said R. Abba: "If it was only one span deep, it may be restored to its original depth of six spans."

Abayi allowed the inhabitants of Hamdoch to cut off the branches of the trees growing in the river (during the middle days). R. Jeremiah allowed the inhabitants of Sekutha to cleanse a choked well of the river. R. Ashi permitted the inhabitants of Matha M'hasiah to deepen the river Burniz; and the reason assigned by him for this permission was, that because many persons used its water it was to be considered as a public necessity, and our Mishna states that all work for public service is permitted.

"*One may repair water reservoirs located on public ground.*"

Is cleansing only, and no digging, permitted? Said R. Jacob in the name of R. Johanan: The Mishna refers to a case in which the public do not need it, but otherwise even digging is permitted. Is that so? Have we not learned in a Boraitha: "Basins, pits, and cavities may be cleansed, if they belong to private persons, and so much the more if they are public. But it is not allowed to dig even when they are public, and so much the more when they are private." Should we not assume, that it is not permitted even when needed by the public? Nay, the case is when the public do not need it. Then how would it be in case of the private ones? Shall we assume that it is even when one does not need it? Then why should cleansing be permitted? Explain thus: Private basins may be cleansed when needed by him, and so much the more public basins if required by the public; but it is not permitted to do so even when they are public in case they are not needed by the public, and so much the more private ones if not needed by the owners, for if not needed by the owners even cleansing is not permitted. Said R. Ashi: "The explanation of our Mishna seems to mean the same, as it states *all* that is necessary," etc., and this word "all" adds also digging. But the expression "all" may include the works enumerated in the following Boraitha: Messengers may be sent out (on the middle days) to remove prickles from the roads and to repair the markets and thoroughfares, and to ascertain the contents of the legal baths; and if they do not contain the prescribed measure they must be regulated. And whence do we deduce that if the messengers were not sent out and in consequence thereof an accident happened, that those guilty of such neglect are personally charged with having caused that accident? Therefore it is written [Deut. xix. 10]: "And bloodguiltiness be brought upon thee"? Are all these not expressly stated in our Mishna? "The roads," etc., "may be repaired?" why then repeat, "all" what is required by the public, etc.? We must then assume that it adds digging. Infer herefrom.

"*And tombs may be marked*," etc. R. Simeon b. Pazzi said: Where is it hinted at in the Scripture that tombs must be marked? It is written [Ezek. xxxix. 15]: "When any one seeth a man's bone, there shall be set up a sign by it." Said Rabina to R. Ashi: Were not tombs marked prior to Ezekiel? Therefore we must say, that it was traditional and the passage in Ezekiel only refers to it. Rabina, however, said: We may find a reference to this in the following passage [Psalms, l. 23]: "And

to him that ordered his course aright will I show the salvation of God." (From this passage it may be inferred that the tombs were marked in order not to pass over them.) As R. Joshua b. Levi said: One who weighs his ways will be rewarded in seeing the salvation of the Holy One, blessed be He. As the Hebrew term of the above passage is "Vessom derech," do not read "vessom," but "veshom." * A pupil of R. Janai who was wont to ask questions of the latter whenever he was lecturing, refrained from doing so on the Sabbath preceding a holiday, when a multitude of people used to gather (for fear that R. Janai might not be able to answer him and get confused), and R. Janai referred to him the passage just quoted (as explained by R. Joshua b. Levi).

The rabbis taught: Those things which cannot communicate uncleanliness when in a tent need not be marked; but the following parts of a dead person must be marked: the spinal cord; the head; the major part of the structure of the skeleton, and the major number of parts of the skeleton. Those places which are known to be unclean need not be marked, but those which are doubtful need be. The following are considered doubtful places: Those having trees with spread out branches, places near fences the stones of which are projecting forward, and Beth Haperes (Perch): and no signs should be put up on the *very spot* of the uncleanliness (but a short distance away), in order not to injure those who are clean (because if one inadvertently approaches the sign he becomes unclean); neither shall a sign be put too far away from the unclean spot, in order not to injure the land of Israel (*i.e.*, not to mark too much clean space as unclean). R. Jehudah said: "No marking should be done unless there is the Elder (of the congregation) or a scholar, for not every one is experienced in such things." Said Abayi: "From this we may infer, that if there is a young scholar in the city, all the business of the congregation must be attended to by him" (if there is no one else do do it).

"*And messengers are to be sent out on account of Kilaim.*" Were messengers sent out on the middle days? Have we not learned in a Mishna (Shekalim, I., *a*) that they were sent out on the first day of Adar? R. Elazar and R. Jose bar 'Hanina: One explains the contradiction thus: "Our Mishna relates to those

* The letter "Shin" in Hebrew when pointed rightward reads "sh"; when pointed left reads "ss." The word "shom" in question is pointed left and the rabbi reads it as if pointed right, and explains it to have the meaning of the Aramaic "Shomin"—to weigh, to estimate.

plants which are late in season and the other to those early in season." The other explains that our Mishna refers to vegetables and the other to herbs. Said R. Assi in the name of R. Johanan: This is the case only when the plants have not sprung up, but when they have (and Kilaim were noticed) messengers are sent out even before. Why are messengers sent out on the *middle days?* Said R. Jacob in the name of R. Johanan: Because on those days labor is cheap. How much of the mixed seeds must there be in order to constitute Kilaim? Said R. Samuel bar Itz'hak: As we have learned (in Kilaim, II., 1): "Every Sah that contains one-fourth of seed of another species must be lessened." But did we not learn in a Boraitha: "It was determined that the whole field be confiscated (made ownerless)"? This presents no difficulty. The former was said before and the latter after the determination was made, as we have learned in a Boraitha: Formerly the messengers used to pull out the Kilaim and throw them to the cattle, and the owners used to be doubly pleased, first because their fields were weeded, and secondly because their cattle were fed; so it was determined that it be pulled out and thrown on the roads, but the owners were still very pleased because of the weeding of their fields, and it was finally determined that the whole field should be given to the free use of the people.

MISHNA: R. Elazar ben Jacob said: "One may lead water from one tree to another, provided always the whole orchard be not irrigated; plants which have not imbibed (water) before the middle days, must not be irrigated during the middle days. The sages, however, permit both."

GEMARA: R. Jehudah said: "If it was damp land it may be done." So also we have learned in the following Boraitha: The prohibition to irrigate during the middle days applies only to plants that have not imbibed prior to the feast, but those that have may be irrigated during the middle days. And if it was damp land it may. Withered land, however, must not. But the sages permit both. Rabina said: From this it is to be inferred that a yard-garden may be besprinkled during the middle days, for what is the reason for withered land? because by irrigation it is changed from one late in season unto one early in season? The same is the case with a yard-garden.

MISHNA: One may catch Ishuth (moles) and field mice in orchards and fields in the usual manner, both during the middle days and the Sabbatical year. The sages, however, said, that in

an orchard (the vermin may be caught) in the usual manner, but that in a corn-field it must not be caught in the usual manner. During the middle days one may pile (loose stone) to stop a gap in a fence; on the Sabbatical year, however, it may be repaired in the ordinary way.

GEMARA: What is "Ishuth"? Said R. Jehudah: It is an eyeless insect. Said Rabha bar Ishmael, and according to others R. Yemar bar Shlamia: Where is it mentioned in the Scripture that Ishuth is an eyeless insect? It is written [Psalms, lviii. 9]: "As a snail which melted, let him pass away, like the untimely birth of a woman: (Ehsheth)* *which hath not seen the sun.*"

"*But that in a corn-field it must not be caught in the usual manner.*" We have learned in a Boraitha: "R. Simeon ben Elazar (or ben Jacob) said: This refers only to those corn-fields that are adjacent to a town, but in case of those adjacent to an orchard it may be done even in the usual manner, for the reason that they might overstep the boundary and injure the trees."

"*During the middle days one may pile loose stones to stop a gap in a fence.*" With what is it stopped? Said R. Joseph: With the twigs of shrubbery and the bay-tree. In a Boraitha we have learned: "The stones may be piled up but no mortar must be used." Said R. Hisda: "This applies only to garden fences, but in case of court walls it may be rebuilt in the usual manner." Said R. Ashi: This may be inferred from our own Mishna. It states: "And during the Sabbatical year it may be rebuilt in the usual manner." This statement cannot relate to a court wall, because there is no reason why it should not be permitted; it must then relate to garden fences, and although it looks as if done for the purpose of protecting the fruit, infer herefrom that it is permitted.

MISHNA: R. Meir said: Priests make the first inspection of the plague (of leprosy) in order to relieve (the patient) but not to restrict him. The sages, however, decide, neither to relieve nor to restrict.

GEMARA: We have learned in a Boraitha: "R. Jose holds, neither to relieve nor to restrict, for the reason that if an inspection is made, if you cannot relieve him you must restrict him." Said Rabbi: "R. Meir's decision seems to be more proper in the

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* "Ishuth" and Ehsheth are similar in pronunciation, and it states, "which hath not seen the sun."

case of one who is still subject to the examination; and R. Jose's decision seems to be the more proper one in the case of one who was decidedly afflicted with the disease." Said Rabha: They all agree that no examination is made (during the middle days) of a clean person; they also all agree that an inspection may be made during the first seclusion;* in what they differ is: in the case of the second seclusion. One holds that it is discretionary with the priest. If he finds him clean, he informs him; but if he finds him unclean, he keeps silent. And the other holds that, as it is written [Lev. xiii. 59]: "To *pronounce* him clean *or* unclean," he must in either case *pronounce* it. The Master said: "Said Rabbi: R. Jose's decision seems to be more proper," etc. But have we not learned in a Boraitha, *vice versa?* There is a difference of opinions between the Tanaim in regard to Rabbi's statement. One holds that one (who is afflicted with the plague) prefers association with the public; and the other holds, that he appreciates more the society of his wife.

MISHNA: R. Meir further said: One may gather the bones of his father or mother (during the middle days to inter them), because it is a joy to him (it relieves his mind). But R. Jose said: "It is a grief to him" (afflicts his mind). One must not grumble over his dead, nor hold a funeral oration for thirty days before the festival.

GEMARA: There is a contradiction: We have learned in a Boraitha (Ebel Rabbatti, XII.):† "One who gathers the bones of his dead father or mother shall mourn over them the whole day, but not in the evening. Said R. Hisda: This is applicable even if they are wrapped up in his mantle (and are not readily seen by him?) Said Abayi: Read in the Mishna: R. Meir said, etc., for the enjoyment of the festival will prevent him from mourning."

"*One must not grumble over his dead.*" What is meant by "grumble"? Said Rabh: The funeral orators in Palestine use the following expression in their funeral orations: "Let all the perturbed join him in mourning." (The Mishna means, then, that he should not excite others to mourn.)

"*Thirty days before the festival.*" Why thirty? Said R. Kahana, according to others Rabh: "It happened once that a funeral orator came around to the house of one who had saved up some money for the prescribed pilgrimage to Jerusalem,

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* See Lev. xiii. 5.

† See our introduction to same tract.

and he so pleased the wife of the latter with his orations that she handed him all her savings, and her husband was prevented from going to Jerusalem. And therefore it was then determined that no exciting oration be held within thirty days preceding a festival." Samuel, however, said: The reason is, because no one departed is forgotten by his mourners during the first thirty days. In what respect does it make a difference, whether the one or the other is the reason? In case one volunteers to do it without compensation. (According to Rabh it may, and according to Samuel it may not take place.)

MISHNA: One must not dig graves or burial vaults on the middle days; but one may prepare graves (previously dug); and also make a washing pit, and a coffin in the same court where the corpse lies. This, however, R. Jehudah prohibits, unless the boards have been (previously) provided.

GEMARA. What part is called "grave," and what part "vault"? Said R. Jehudah: Grave is the excavation, and vault is that part which is built in the grave. So also we have learned in a Boraitha.

"*But one may prepare graves.*" What is meant by "preparation"? Said R. Jehudah: "If it was too long it may be shortened." In a Boraitha we have learned that it may be made both longer and wider.

"*And a coffin in the same court where the corpse lies.*" What we read in this Mishna has reference to what the rabbis taught: "All that is necessary to be done for the dead may be done: his hair may be cut, his wrapper washed; and his coffin may be prepared from boards cut before the festival." R. Simeon ben Gamaliel said: "Timber may be also brought and boards cut therefrom, privately in the house."

MISHNA: One must not espouse a wife on the middle days —neither virgins nor widows; nor must one marry the childless widow of his deceased brother,* as that (the espousal) is a cause of joy to him (individually), but one may receive back his own divorced wife. A woman may prepare her ornaments on the middle days. R. Jehudah said: "She must not apply lime (chalk as a cosmetic), because it may disfigure her. A layman may sew (make stitches) in the regular way; but the tailor must do it zigzag. One may twine (the ropes in the sacking) of bedsteads." R. Jose, however, said: "They may only be tightened."

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* See Deut. xxv. 5–11.

GEMARA: And if it is a cause of joy to him, why not? Said R. Jehudah in the name of Samuel, and so also said R. Elazar in the name of R. Oshiya or Hanina: "For the reason that two different joys must not be comingled." Rabba bar Huna said: "For the reason that the enjoyment of the festival is neglected on account of the enjoyment over his wife." Said Abayi to R. Joseph: The statement of Rabba bar Huna was originally made by Rabh, as R. Daniel bar Ktina said in the name of Rabh: Whence do we deduce that it is not permitted to espouse wives on the middle days? For it is written [Deut. xvi. 14]: "And thou shalt rejoice on thy feast." *Over thy feast* thou shalt *rejoice*, but *not* over thy *wife*. Ula said: "The reason is: Because there would be too much trouble." R. Itz'hak of Naf'ha said: "The reason is, in order not to restrict reproduction (for every one will postpone his marriage until the festival)."

An objection was made: We have learned elsewhere: "All those said to be prohibited from espousing wives on the middle days, may do so on the eve of the feast." This seems to contradict all those reasons assigned? This presents no difficulty: According to the one who said, because of the enjoyment—the main enjoyment over his bride is on the first day only; according to the one who said, it is the trouble—the main trouble is also on the first day only; and according to the one who said, in order not to restrict reproduction—for one single day no one will postpone it.

But whence do we deduce that two different joys may not be comingled? It is written [I Kings, viii. 65]: "And Solomon held at the time the feast," etc., "seven days and seven days, even fourteen days." Now then, if comingling of two different joys were permitted, why did Solomon not postpone it until the feast and the seven days of the feast would have served for both? R. Parnach in the name of R. Johanan said: On that year the Israelites had not observed the Day of Atonement and they were perturbed and thought they were sinful, and a Heavenly voice was heard announcing: "All of you are prepared for the world to come."

It is written [I Kings, viii. 66]: "On the eighth day he dismissed the people, and they blessed the king and they went unto their tents," etc.

"And they went unto their tents," meaning, they found their wives clean. "Joyful"—they were delighted with the brightness of the Shekhina. "Glad of heart"—the wife of every one be-

came pregnant with a male child. "Because of the good," etc. —for the announcement of the Heavenly voice, as stated above. "For David his servant and Israel his people"—this would be correct so far as Israel is concerned, for they were forgiven their neglect to observe the Day of Atonement; but what is hinted at by the statement, "For David his servant"? Said R. Jehudah in the name of Rabh: When Solomon desired to place the ark in the Temple, the gates became fastened to each other and they could not be opened. Solomon then pronounced twenty-four prayer-songs and was not answered. He then commenced to pray [Psalm, xxiv. 7]: "Raise your heads, O ye gates," etc., and still he was not answered; but when he finally said [II Chron. vi. 42]: "O Lord God, turn not away the face of thy anointed, remember the pious deeds of David thy servant," he was at once answered. At that moment the enemies of David became as black as the bottom of a pot, and then it was known to all that the Holy One, blessed be He, had forgiven David *that* sin (of Bath-Sheba).

R. Jonathan ben Esmai and R. Jehudah b. Gerim had been studying the chapter treating of Vows before R. Simeon b. Jo'hi. In the evening they took leave of him and departed. On the following morning they returned and asked leave again. R. Simeon b. Jo'hi questioned them: "Did you not take leave of me last night?" They answered him: "Did not our Master teach us, that a disciple who takes leave of his instructor and remains in the same place over night must take leave again?" As it is written [I Kings, vii. 66]: "On the *eighth* day he dismissed the people, and they blessed the king"; and it is again written [II Chron. vii. 10]: "And on the twenty-third day of the seventh month he dismissed the people." Infer from this, that a disciple who after taking leave of his Master remains over night in the same place must take leave again. Then he (R. Simeon b. Jo'hi) said to his son: "These men are of nice countenance (scholarly). Go and receive their blessing." He went, and found them discussing the contradiction of the following passages: It is written [Prov. iv. 26]: "*Balance* well the track of thy foot, and let all thy ways be firmly right"; and ibid. v. 6 reads: "So that (she) *cannot balance* the path of life"? This presents no difficulty. The first passage refers to a commandment that can be performed by others, and the other passage has reference to such as cannot be performed by others. They again propounded a question: It is written [Prov. iii. 15]: "She is more precious than pearls, and all the things *thou valuest* are not equal unto her." From

this it seems that Heavenly things are equal. And it is written [ibid. viii. 2]: "And *all* the things that men wish for are *not equal* to her"; from which it seems that Heavenly things are also included? And the above answer was applied also to answer this contradiction.

They then turned to him and asked him what his wishes were, and he answered: "Father sent me here to receive your blessing." They then pronounced: "Let it be the Will that thou shalt sow but not reap, thou shalt bring in but not give forth, thou shalt give forth but not bring in; thy house shall be ruined and thy temporary dwelling shall remain; thy table shall be confused; and thou shalt not see a new year." When he returned to his father he said: "Not only did they not bless me, but, on the contrary, they cursed me!" and he recited the above. His father replied: All those are blessings; viz.: "Thou shalt sow and not reap" means, allegorically, "Thou shalt bear children and they shall not die." "Thou shalt bring in and not give forth"—"Thou shalt bring in thy house wives for thy sons, and thy male children shall not die, so their wives will not need to leave thy house." "Thou shalt give forth and not bring in"—"Thou shalt have daughters and their husbands shall not die, so that they shall not be compelled to return to thy house." "Thy house shall be ruined and thy temporary dwelling shall remain"—for this world is only a temporary dwelling and the world to come is the real house, as it is written [Psalms, xlix. 12]: "Their inward thought (Kirbom) is, that their houses are to be forever." Do not read "kirbom," but "kivrom" (their graves). "Thy table shall be confused"—by thy many children. "And thou shalt not see a new year"—"Thy wife shall not die, so that thou shalt not be compelled to marry another."

R. Simeon b. Halafta took leave of Rabh, and the latter said to his son: "Go to him and receive his blessing." R. Simeon pronounced the following: "Let it be the Will that thou shalt not shame others and others shall not shame thee." When he returned to his father he said: "He did not bless me, but only advised me." And his father rejoined: "Nay, it is a blessing; and it is the same, the Holy One, blessed be He, pronounced over Israel, as it is written [Joel, ii. 26]: "And ye shall eat in plenty," etc., "and my people shall not be ashamed unto eternity"; and repeated in the next passage: "And ye shall know that I am in the midst of Israel," etc., "and my people shall not be made ashamed unto eternity." The repetition herein

means, both that they shall not shame others and others shall not shame them.

"*A woman may prepare her ornaments*," etc. The wife of R. Hisda was once ornamenting herself in the presence of her daughter-in-law. R. Huna bar Dinna, who was present at the time, said: "It seems to me that only a young woman is allowed to prepare her ornaments, but not an old one?" And R. Hisda rejoined: "By the Lord! even your mother and your grandmother, and even the woman who is on the brink of her grave; as the proverb goes: 'A woman of sixty is as enthusiastic over the music of a cymbal as a girl of six.'"

"*R. Jehudah said: She must not apply lime*," etc. R. Bibi's daughter applied gradually cosmetics to every part of her body, and she improved so much that she received a dowry of four hundred Zuz. The daughter of a stranger who resided in the neighborhood (of R. Bibi), learning of that, applied a cosmetic at once to all parts of her body, and in consequence thereof died. The stranger then said: "Bibi killed my daughter." R. Na'hman said: "In R. Bibi's house, where beer was used, his daughters had to use cosmetics, but in our houses, where beer is not used, our daughters need not apply cosmetics."

"*The layman may sew in the regular way*," etc. Who is considered a layman? The school of R. Janai explained, one who is not experienced in gathering on the needle; R. Jose bar Hanina said: "One who cannot properly place the foundation in the border of a garment."

"*They may twine the ropes*," etc. What is the difference between "twining" and "tightening"? When R. Dimi came from Palestine he said: "R. Hyya bar Abba and R. Assi, both in the name of Hezekiah and R. Johanan, differ: One says "twining" means both the shoot thread and the warp, and "tightening" means the shoot only; and the other holds that "twining" means the warp and not the shoot thread, and "tightening" means "if they were not tight they might be tightened." When Rabin, however, came from Palestine, he declared that as to "twining," all agree that it means the shoot thread and the warp; they differ only as to "tightening": one holds it means the shoot only, and the other holds that if they were not tight they might be tightened.

MISHNA: One may erect an oven or a hearth, or a mill, on the middle days. R. Jehudah says: "New millstones must not be chipped."

GEMARA: What is the meaning of "chipping"? Said R. Jehudah: It means notching. R. Je'hiel said: "It means the boring of the centre-hole in the millstone." R. Hama lectured: "Millstones may be cleaned during the middle days." In the name of R. Meir he said: Even the hoofs of the horse and ass may be pared, provided they are used for riding; but not the hoofs of an ass employed in a treadmill. R. Jehudah permitted to pare the hoofs of an ass employed in a treadmill, to place the millstones in proper position, and to build a new mill; to erect a foundation for the millstones, and also to erect a stall. Rabha permitted to comb a mare, to erect a stand and a colonnade. Rabha also permitted to let blood to a domestic animal during the middle days. Said Abayi to Rabha: "We found a Boraitha in your support: 'Blood may be let to a domestic animal; and no restriction is made to the administration of medicines to domestic animals during the middle days.'" Rabha permitted to press garments. Why so? For the reason that it can be done by any unskilled person. Rabha said again: "Trading even in the most moderate degree is not permitted." Said R. Jose bar Abin: "But in case of perishable articles it is." Rabina was to complete a transaction in which he would have earned six thousand Zuz, and by postponing it till after the middle days he earned twelve thousand. Rabina had to collect some money from the inhabitants of the fortress of Shnuatha, and he consulted R. Ashi whether to go there or not. R. Ashi told him: "If you think you can find them now and not on other days, it is as if it were perishable articles and you may do it." We have learned in a Boraitha similar to that just stated, in regard to dealings with idolaters: "It is permitted to attend markets of idolaters and to purchase domestic animals, male and female slaves, land and vineyards, and to write out the deeds and record the same, for it is considered as if rescued from their hands." Rabh permitted Hyya bar Ashi to construct a fisher's net on the middle days. R. Jehudah permitted Ami, the oven-builder, to erect an oven, and to Rabba bar Eshbi he permitted to mesh a sieve.

MISHNA: A railing (balustrade) may be made round a roof, or gallery, in the way a layman does it, but not in the way it is done by a mechanic. Rents (in the roofs) may also be closed, and (then) smoothed with a roller, or with hand and foot, but not with a trowel. Should the hinges of the door-frame, or the beam, or the lock (of the door), or the key (thereto) have been broken

they may be repaired on the middle days, provided always one does not intentionally put off the repairs till the middle days. All (kinds of) pickled food of which one can eat during the middle days may be pickled.

GEMARA: What is meant "*in the way of a layman*"? Said R. Joseph: "With twigs or wire." A Boraitha states: When the railing was not smeared with clay.

"*Rents may be closed*," etc. If they may be smoothed with a roller, it is self-understood then that it may be done so with the hand and foot? This should be understood thus: "Rents may be closed and smoothed with hand and foot as if done with a roller, but not with a trowel."

"*Should the hinges of the door*," etc., "*they may be repaired*," etc. Is there not a contradiction from what we have learned, that "up to his days (of R. Jo'hanan, the high-priest) the sound of the hammer (falling on the anvil) used to be heard in Jerusalem," etc., from which we see, only up to his days, but not afterwards? Nay, this presents no difficulty. The statement just quoted has reference to a blacksmith's hammer, and that mentioned in our Mishna relates to that of a carpenter.

"*All pickled food of which*," etc. The river Bditha of Libai had an abundance of fish, and any one who wanted to fish them could do so. Rabha permitted to go there, bring fish and salt them. Said Abayi to him: "Does not our Mishna state, only those foods that can be eaten on the middle days?" Rabha replied: These can also be eaten by washing them first, as it happened once with Samuel, who was served with (pickled) fish, and he ate them after washing them sixty times. Rabha happened once to be in the house of the Exilarch (on the middle days), and he was served with pickled fish which were washed sixty times, and he partook of them. Rabh was once the guest of R. Shapir and fish was served, one-third of which was cooked, another third pickled, and the rest fried. Rabh related: "Ada the fisher once told me that fish taste best some time after they are caught." Rabh further stated: "The same told me: 'Fish should be fried with their brother (salt—for both are found in water); after they are fried they should be placed with their father (water—which produces fish), and they should be eaten with their offspring (their juice); and after eating them, drink their father (water).'" Rabh said again: "Ada the fisher told me: 'One who eats fish, dates,

or milk should not go to sleep right after, unless he takes first a long walk.'" Rabh said again: "Ada the fisher told me: 'After eating fish, dates, or milk, water is to be preferred as a drink to beer, and beer should have preference over wine.'"

## CHAPTER II.

REGULATIONS CONCERNING LABOR. MOURNING AND BUYING AND DOING BUSINESS IN THAT TIME, AND ALSO IN THE INTERMEDIATE DAYS.

MISHNA: One who has turned his olives, and a death occurred in his family; and one who is prevented from at once putting them to press, or has been disappointed by his laborers, may put the first press-block on, and leave it until after the feast. Such is the dictum of R. Jehudah. R. Jose, however, said: "He may put the olives into the oil-press and finish pressing them, and bung up the casks in the usual manner."

GEMARA: It begins with mourning and ends with the middle days (without stating the law relating to the former)? Said R. Shesha, son of R. Idi: "Infer from this, that things permitted on the middle days are, nevertheless, prohibited during mourning." R. Ashi says to the contrary: "Not only in the mourning time, which is only rabbinical, are these things allowed, but even on the middle days, during which work is prohibited biblically, in the case of loss the rabbis permitted it."

The following Boraitha is in support of the assertion of R. Shesha, son of R. Idi: The following things are done by *others* for one who is in mourning: If his olives are turned, the press-block may be put on, the cask bunged, his flax removed from the buck, his wool taken out of the boiler, and his land watered when his turn comes on. R. Jehudah said: "Even his ploughed land may be sown and the flax-field planted." The sages, however, maintain, that if not sown early in the season it can be done so late in the season; and if not flax, other plants can be raised. R. Simeon b. Gamaliel, however, said that if he is the only specialist in the place, of all those things mentioned above, they may be done by himself privately. And even more than that the same Rabban allowed: If he were the only mechanic in the place employed by the public, or a barber, or a bather, and the feast was approaching, he might perform his functions. Contractors of all kinds must have others to do their work (during their mourning).

Those who hire out asses, camels, or ships to others, must not do their work. But if at the time (their mourning commences) they were already hired out, they might continue. A day laborer, although in a place where he is not known, must not work. If he were to work for others in his own house, whether under contract to do it for a definite time or not, he must not do it. If others were working for him in his own house, they must postpone their work; but in a house other than his own, they might continue. Marian, son of Rabhin, and Mar, son of A'ha son of Rabha, had a team of oxen in copartnership. One day a death occurred in the family of Mar b. A'ha and he kept in his ox. Said R. Ashi: Why should a great man like Mar do such a thing? If he does not consider his own loss, he must consider that of another. As stated above: "If they were hired out at the time, they might proceed with their work." He (Mar), however, was of the opinion that the case is different when a prominent person is concerned. Samuel said: "Those who do their work under contract for a definite period of time, if *within* the legal limits, may not; if *outside* those limits, they may do it." R. Papa, however, said: Even where it is outside the legal limits, the case is only when there is no town adjacent. R. Mesharshia, however, said that even where there is no town adjacent the case is so only in reference to Sabbath days and festivals, for on those days people are few; but as regards the middle days, during which people are numerous, it is not permitted. Mar Zutra, son of R. Na'hman, had a house built under contract outside of the legal limits. R. Saphra and R. Huna bar Hinna happened to be in the neighborhood of that house and declined to enter it; and according to others, R. Zutra himself also declined to enter it. But has not Samuel said that if it was outside of the legal limits it is permitted? R. Zutra himself assisted them in placing the straw during the progress of the work. R. Hama permitted the Abunagars (waiters) of the Exilarch to do their work on the middle days; for, he said, they receive no salary, and work only for their board. (It is therefore not considered labor, and does not matter.)

The rabbis taught: Work may be taken under contract during the middle days to be done after the feast. But on the middle days it is not permitted. The rule is: All that one himself may do, he may have a Gentile do it for him, but not what he may not. We have learned in another Boraitha: "Work may be taken under contract on the middle days to be performed

after the feast, provided always he does not measure, weigh, or count in the usual manner."

The rabbis taught: "No animals should be copulated on the middle days; the same applies to the firstborn and also to the desecrated ones at any time."

The rabbis taught: Cattle must not be brought into the field for the purpose of manuring, either on Sabbath days, feast days, or middle days. But if they come there of themselves it is permitted. And no assistance may be afforded to those in charge, neither a watchman assigned them to watch their sheep. But the case is different if they are hired by the week, month, year, or for a period of seven years. Rabbi, however, says: "On Sabbath days it may be done without compensation; on feasts days, for food only; and on the middle days, even for compensation." Said R. Joseph: "The Halakha prevails as Rabbi decreed."

MISHNA: The same is the case when one whose wine is in the press-pit and a death occurred in his family or another accident happened; or if he had been disappointed, he may pour the wine into casks, cooper, and bung them up in the usual manner. Such is the dictum of R. Jose. But R. Jehudah said: "He must only cover the pit with boards, so that the wine may not grow sour."

GEMARA: Said R. Itz'hak bar Abba: "The Tana who holds that on the middle days it must not be done in the usual manner, does not accord with R. Jose." Said R. Joseph: "The Halakha, however, prevails as decreed by R. Jose." A question was propounded to Na'hman bar Itz'hak: "Is it permitted to bung up a beer barrel on the middle days?" He answered: "Sinai (R. Joseph) had already stated that the Halakha prevails as decreed by R. Jose." But R. Jose's statement relates only to wine, but not to beer? What was the reason for wine—because there is a great loss? The same is the case with beer. R. Hama bar Guriah said in the name of Rabh: The laws regarding the middle days are distinct from each other and cannot be compared for the purpose of inference. As Samuel said: "A jug may, but a barrel may not be covered with tar." R. Dimi of Nehardea holds the reverse. The one considers the loss involved; the other, the trouble with which it is accompanied.

The rabbis taught: Grinding is permitted on the middle days for use on those days only, but not otherwise; but if some of the flour remain till after the festival, it may be used. Such is also

the case with wood-cutting and beer-brewing, but one must not go too far. R. Hananel said in the name of Rabh: "One may fell a tree, even if he needs only the splinters." Abayi, however, censured that. R. Ashi owned a forest in the neighborhood of Shalnayi, and he went there once during the middle days to chop wood. Said R. Shela of Shalnayi to R. Ashi: "You do this, relying on the statement of R. Hananel in the name of Rabh? But has not Abayi censured it?" And he replied: "I do not care for that." When he commenced to chop, his axe slipped off the handle and almost injured his shoulder. He thereupon left the forest (for he took it as a punishment for his statement in reference to Abayi). R. Jehudah permitted to pluck flax, hops, and poppy. Said Abayi to R. Joseph: "This would be correct as regards flax and hops, for the one may be used for covering (figs, etc.), and the other in beer-brewing; but what use can be made of poppy? Its seed can be used. R. Janai owned an orchard the fruit of which got ripe on the middle days, and he gathered in the fruit; on the following year every one postponed the gathering in of his fruit until the middle days. R. Janai (as a punishment to himself for having caused others to postpone their work until the middle days) gave away on the very same year that orchard to the free use of the public.

MISHNA: One may house his fruit from (dread of) thieves, and take flax out of the buck, that it be not spoiled, provided he does not intentionally defer doing it till the middle days; but should he have so deferred, then in all these cases he forfeits the articles in question.

GEMARA: A Boraitha states: "Provided he does it privately." R. Joseph had removed beams to his house in the day-time. Said Abayi to him: "Have we not learned that it should be done privately?" He answered: "In this case it may be considered more privately in the day-time than in the night-time; for in the night-time it must be done by light, and it requires therefore more men."

"*And take the flax out of the buck*," etc. R. Jeremiah propounded the question to R. Zera: "One who deferred intentionally doing it until the middle days and soon afterwards died, shall we impose the fine on his sons? Shall we assume that the rabbis intended to punish him personally, and, therefore, his sons are released? or shall we assume that the fine was directed against his property, and, therefore, his sons must pay it?" And he answered: "This we have learned in the following Mishna: A

field which has been cleaned from prickles during the Sabbatical year may be sown immediately thereafter; but this is not the case if it was manured either by man's labor or by animals." Said R. Jose bar Hanina: "There is a tradition that if one had manured his field (on the Sabbatical year) and soon afterwards died, his son might sow it." Hence we see that the fine was directed against him, and not against his son. The same is the case with working on the middle days, stated above.

MISHNA: One must not purchase houses, slaves, or cattle, excepting for the use of the whole festival, or for the use of the vendor, who otherwise might have nothing to eat.

GEMARA: Rabha asked R. Na'hman: "What is the law if a laborer has nothing to eat?" And he answered him: "This we have learned in our own Mishna, 'or for the use of the vendor,' which intends to include the case of the laborer." (For the case of the vendor is included in the statement, "for the use of the *whole* festival," which includes the middle days.) Rejoined Rabha: Perhaps the Mishna explains only what is meant by the expression "use of the vendor."

MISHNA: One must not remove things from one house to another, but this may be done from the house of another court to his court. Things must not be brought home from the mechanic's house, but if he fears (that they might be lost) he may remove them to another court.

GEMARA: Did not the Mishna begin with the statement that it must not be removed at all? Said Abayi: The last clause of the Mishna means to say, that it may be removed from the court-house to the court (but not to another house).

MISHNA: Dried figs may be covered with straw. R. Jehudah says: "They may, likewise, be put in layers. Dealers in fruit, garments, or utensils may privately sell what is required for use on the middle days. Huntsmen (fishers) and manufacturers of peeled barley and grits may carry on their occupations in private, as the exigencies of the festival may require it." R. Jose said: "They have of their own accord adopted the more rigorous observance and do not carry on their occupations (on the middle days)."

GEMARA: R. Hyya bar Abba and R. Assi, both in the name of Hezekiah and R. Johanan, differ. One holds that "covering," mentioned in the Mishna, means "thinly covering," and "put in layers" means "thickly covering"; and the other one holds that "covering" means both thinly and thickly covering, and "put in

layers" means "heaping up." So also we have learned in a Boraitha: "Putting in layers—placing in a heap. Such is the dictum of R. Jehudah."

"*The dealers in fruit*," etc. The schoolmen propounded a question: "Does it mean that they adopted a rigorous, etc., not to do any work at all, or only not in public?" Come and hear: The dealers in fruit, garments, and utensils may sell in private, for use on the middle days. R. Jose said: "The dealers of Tiberias adopted of their own accord a more rigorous observance and did not sell at all." (The Boraitha states further on that R. Jose said that the same was the case with the hunters and fishers of Achu and the manufacturers of grits of Sepphoris.) Abayi said: "It is called grits, if it (the kernel) is crushed into two; pearl grits, if into three; and meal, if crushed into four parts." When R. Dimi came he said: "It (grits) means spelt." R. Huna permitted the dealers in spices to trade in their usual way. R. Kahana objected: We have learned elsewhere: A store opening into a gallery may be locked and unlocked in the usual way, but if it opens into a public street he must open one door and lock the other; and on the eve of the last day of Tabernacles one may decorate his stores with fruit in honor of the last day of the festival. But not otherwise? This presents no difficulty: the one is the case regarding fruit; the other, regarding spices (which may be done in the usual way).

## CHAPTER III.

### REGULATIONS REGARDING MOURNING ON FESTIVALS, REGARDING THOSE WHO ARE UNDER THE BAN, AND WASHING.

MISHNA: The following may shave (trim their hair) on the middle days: One who arrives from the sea countries, or returns from captivity, or has been discharged from prison; or one who was absolved by the sages from the ban, or from his vow (not to cut his hair for a certain period of time); also a Nazarite and the leper who is restored to cleanness. The following may wash their garments on the middle days: One who arrives from the sea countries, or returns from captivity, or has been discharged from prison; and one whom the sages have absolved from the ban, or from his vow. Towels, barbers' napkins, and bathing towels (may be washed). Men and women who have had a running issue, women after their courses or lying-in, and all persons who from uncleanness are restored to cleanness, are permitted to wash their garments; but all other persons are forbidden.

GEMARA: What is the reason for not permitting other persons? As we have learned in the following Mishna (Taanith): "The priests of the weekly watch and the standing Israelites are prohibited from shaving their beards and washing their clothes; but on Thursday they are allowed to do so in honor of the Sabbath." And Rabba bar bar Hana in the name of R. Elazar said: "The reason why they are prohibited to do so the whole week is in order that they shall not enter upon the fulfilment of their duties when they are filthy (if they would be allowed to do so during the days of their duty)." The same reason applies to the festival (if they will be allowed to do so in the middle days they will not shave themselves before the festival).

"*Who arrive from the sea countries.*" Our Mishna is not in accordance with R. Jehudah of the following Boraitha: R. Jehudah said: "One who returns from the sea countries may not shave, for he went to sea of his own accord." Said Rabha: "If he went to sea for adventurous purposes, all agree that he may not; if to earn his bread, all agree that he may. They only

differ in case he went to sea to accumulate profits (*i.e.*, one who was well provided with an income, but went to sea to increase his riches). One equals it to the case of adventurous purpose; and the other, to that for the purpose of earning his bread. Samuel said: "A minor (child) may be shaved on the middle days, and it makes no difference whether he was born on or before the middle days." Said R. Pin'has: "We also have a Mishna to the same effect: All those who were permitted to shave on the middle days may also do so during their mourning." From this we must assume that those prohibited to shave on the middle days are also prohibited from doing so during their mourning? Now, if a minor would be prohibited, then mourning would be customary to a minor also, but the following Boraitha states: "The garments of a minor mourner are rent for the purpose of moving others to mourn?" Hence we see that to a minor himself mourning is not customary? Said R. Ashi: Does, then, the Mishna state "those who are prohibited"? (It only states "those who are allowed") and possibly some are prohibited who are not mentioned in the Mishna.

A mourner must not observe mourning on festivals, for it is written [Deut. xvi. 14]: "And thou shalt rejoice on thy feast." Then, if the mourning commences before the festival the positive commandment of the rejoicing of the feast which relates to the whole public is relieving from the positive commandment of mourning of an individual; and in case it began on the festival, the commandment of mourning to an individual cannot relieve from the commandment (of rejoicing) to the public. What is the law of one who is under the ban as regards the festival? Said R. Joseph: Come and hear: "Cases involving capital punishment or stripes, or civil cases, may be tried (on the middle days), and if one (of the parties) is in contempt he may be put under the ban." Now then, if you should think that if one who was *already* under the ban the festival comes and postpones it, how could we put one under the ban *originally* on the festival? Said Abayi to him: "Perhaps the Boraitha meant, by 'tried,' the examination only (but not the result)?" Therefore said Abayi: This can be decided from our Mishna, which states: "One whom the sages absolved from the ban." And if the festival would postpone it, why then the absolving by the sages?

Said Rabha: Does, then, the Mishna state: The *sages have absolved* the ban? It states: "Who was *absolved by the sages* from the ban," which means that he has previously arrived at an

understanding with his opponent and then come to ask the rabbis that they should absolve him. (Hence the question remains undecided.)

Is the law of leprosy customary on the festival? Said Rabha: Come and hear: It is written [Lev. xiii. 45]: "And the leper." That means to include even if it was the high-priest. Now, it is certain that as to the high-priest all the week-days are considered feast-days, as we have learned in a Mishna (Sebo'him): "The high-priest may sacrifice in his mourning before the interment of the corpse, but not to eat of it." Infer from this that the law of leprosy is customary on festivals. *

Rabha said: Whence do we know that the court has power to summon one to appear before them; to appoint a time for the trial before the chief of the court; and to fix a time for the appearance of both parties? It is written [Num. xvi. 12–16]: "And Moses sent to call Dathan and Abiram, the sons of Eliab," etc. "And Moses said unto Korah, thou and thy company be ye before the Lord," etc. "Thou and they and Aaron to-morrow." And whence do we know that the court has power to postpone the trial to another day? It is written [Jerem. xlvi. 17]: "They called out there," etc., "he hath let the time appointed pass by." And whence do we know that the report of the court messenger, that the summons is disobeyed, is not considered slander? From the report of the messengers to Moses [Num. xvi. 14]. And whence do we know that a great man has the power to put one under the ban? From [Judges, v. 23]: "Curse ye Meroz, said the messenger of the Lord." [It means that he was a great man.] And whence do we know that the court has power to excommunicate him and to prohibit to eat or drink in his company, or to stand near him within a distance of four ells? From the passage [ibid., ibid.]: "Curse ye bitterly, curse its inhabitants." And whence, that his disobedience is made public? From [ibid., ibid.]: "Because they came not to the help of the Lord." And whence, that his property may be confiscated (made ownerless)? From [Ezra, x. 8]: "And that whosoever should not come within three days," etc., "all his substance should be forfeited † and himself separated from the congrega-

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* All the laws of mourning not belonging to festivals we transfer to Tract Ebel Rabbathi (Great Mourning) as the proper place, and they will be published in the next volume, which will complete this section.

† Leeser translates "devoted."

tion of the exiles." Whence, that he may be cursed, beaten, his hair plucked, and made to swear? From [Nehem. xiii. 25]: "And I contended with them, and cursed them, and smote certain of them, and plucked out their hair, and made them swear," etc. Whence, that his hands and feet may be bound, and he may be tied to the whipping post, and prosecuted? From [Ezra, vii. 26]: "Whether it be unto death, or to banishment, or to a fine on goods, or to imprisonment." What is meant by "banishment"? Said Ada Mari in the name of Ne'hemiah bar Baruch in the name of R. Hyya bar Abin, quoting R. Jehudah: "It means, prosecution." What kind of prosecution? Said R. Jehudah, son of R. Samuel bar Shilath, in the name of Rabh: "It means that he is put under the ban at once, and if he does not repent within thirty days the ban is continued; and if he still continues to be disobedient, he is excommunicated after the lapse of sixty days." Said R. Huna bar Hinna to him: "But has not R. Hisda stated: He is first warned on a Monday, Thursday, and the following Monday"? This relates only to cases involving money; but if he is accused of having denounced the authorities, he is at once put under the ban. A certain butcher was disobedient to R. Tubi bar Mathna, and he was put under the ban by the concurrence of Abayi and Rabha. Subsequently he came to an understanding with his opponent. Said Abayi: "What shall be done in such a case? Shall we absolve him? Thirty days have not passed yet? Shall we not? The rabbis need him?" And he turned to R. Idi bar Abin and asked him: "Do you know anything about such a case?" And the latter answered him: "R. Ta'hlipha bar Abimi said in the name of Samuel: 'The horn that announced that he was placed under the ban, may announce that he was absolved.'" And Abayi rejoined: "This is only in cases involving money; but in the case of denouncing the authorities, the ban must continue for thirty days." Ameimar said: "The Halakha prevails, that if scholars declare the ban over a person, he may be absolved therefrom by three other scholars." Said R. Ashi to Ameimar: Have we not learned in a Boraitha: R. Simeon b. Gamaliel said: If one of the scholars who declared the ban over a person died, his part cannot be absolved from? Shall we not assume that it cannot be absolved from at all? Nay; that means, only until other three absolve him.

The rabbis taught: The ban is declared for not less than thirty days; rebuke, however, is only for seven days; and al-

though there is no explicit proof for that, there is a hint [Num. xii. 14]: "If her father had spit in her face, would she not be ashamed seven days?" R. Hisda said: "Our (Babylonian) ban equals in point of time their (Palestinian) rebuke; and their rebuke is only for seven days." Is that so? Has it not happened that R. Simeon bar Rabbi and Bar Qappara have been studying together, and they came across a difficult question? Said R. Simeon to Bar Qappara: "This question must be solved by Rabbi (my father)." And Bar Qappara answered him: "What could Rabbi say to this?" * R. Simeon reported this statement to his father, and he became angry. Subsequently Bar Qappara came to visit him, and Rabbi said to him: "Bar Qappara, I have never known thee." Bar Qappara understood this reproach, and he reprimanded himself for thirty days? It also happened that Rabbi ordered not to teach disciples in the public streets. R. Hyya disregarded the order, and did teach his two nephews, Rabh and Rabba bar bar Hana, in a public street. When Rabbi heard of it, he was angry. Subsequently R. Hyya came to visit him, and Rabbi said to him: "Eyya, you are wanted in the street." R. Hyya understood what was hinted at, and he reprimanded himself for thirty days.

[On the thirtieth day Rabbi sent a message to him to come; and a short while after he sent him another message not to come. Subsequently R. Hyya came. Said Rabbi to him: "Why didst thou come?" He answered: "Because the Master sent for me to come." Said Rabbi: "But did I not subsequently send thee not to come?" And he replied: "The first message I received, the second one I did not." And Rabbi applied to him the following passage [Proverbs, xvi. 7]: "When the Lord receiveth in favor a man's ways, he maketh even his enemies to be at peace with him."] Hence we see from this that the rebuke of the Palestinians is for thirty days? The rebuke of a prince is different.

For how long, however, is *our* rebuke? For one day only, as seen from the following: Samuel and Mar Uqba, *studying* together, the latter used to sit (out of respect to Samuel) four ells distant from the former; but when sitting as a court, the reverse used to be the case, and Mar Uqba used to sit on a low platform (near the candelabrum †) in order that his voice might be heard

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* Rashi explains this to mean: "There is no scholar who could answer this." But our explanation seems to us more proper.

† For Mar Uqba was an Exilarch.

well. Mar Uqba was in the habit of accompanying Samuel every day to his residence. One day he was so engrossed in a case that he forgot to do it, and the latter, instead, followed *him* to his house. When they reached the house, Samuel said to him: "Is this sufficient for thee? May I now return?" And Mar Uqba understood that Samuel was angry, and he reprimanded himself for one day. There was a woman who was sitting in a pathway, and was in the habit of stretching out her foot to pick up the barley. A young scholar happened to pass by and she paid no attention to him, and he remarked: "How insolent this woman is!" The woman came before R. Na'hman and he asked her: "Did he utter the ban?" And she answered: "Nay." He then ordered her to be reprimanded for one day. Zutra bar Tubiah was once arranging biblical passages before R. Jehudah. When he came upon the passage [II Sam. xxiii. 1]: "And these are the last words of David," he said to him: "If these were the last, what were the first words of David?" R. Jehudah remained silent. But when he (Mar Zutra) repeated the question, R. Jehudah said: "Art thou of the opinion that if one cannot explain this he is no more a great man?" And Mar Zutra understood that R. Jehudah was angry, and he reprimanded himself for one day. How is this passage, however, to be explained? It plainly reads "the last"; then there must be the first words? [Ibid. xxi. 1]: "And David spoke unto the Lord the words of this song, on the day that the Lord had delivered him out of the hand of all his enemies, and out of the hand of Saul." This passage was expounded thus: The Holy One, blessed be He, said unto David: "David, thou singest songs over the downfall of Saul; if thou wert Saul and he were David, I would annihilate many a David for his sake." And this is meant by [Psalms, vii. 1]: "A Shiggayon of David * which he sang unto the Lord, concerning the affairs of Cush (the Ethiopian) the Benjamite." Was then his name Cush? It was Saul, but as an Ethiopian is distinguished from others by the color of his skin, so was Saul distinguished from others by his good deeds. Likewise [Num. xii. 1]: "On account of the Ethiopian woman which he had married." Was then her name Ethiopian? Was it then not Ziporah? But it is to state, that as an Ethiopian is distinguished by the color of his skin, so was she distinguished by her kind deeds. Likewise [Jerem. xxxviii. 7]: "Now when the slave of the king, the Ethio-

* The root of Shiggayon is שגה, meaning "error."

pian," etc. Was then his name Ethiopian? * Was it then not Zedekiah? But as it is stated above. Likewise [Amos, ix. 7]: "Are ye not like the children of the Ethiopians, O children of Israel?" Was then their name Ethiopians? Was it then not "Israel"? But as the Ethiopians differ from others in the color of their skin, so does Israel differ from all idolaters by their good deeds.

R. Tan'hum said in the name of R. Huna, and according to others R. Huna himself said it: A disciple who put one under the ban for disobedience to himself, the ban is valid, as we have learned in a Boraitha: "One who is put under the ban by the Master is considered so also towards the disciple; but if put by a disciple, is not so towards the Master." Hence towards the Master he is not so, but as towards the general public he is so. Now, then, let us see: To what case is this applicable? Shall we assume that it applies to Heavenly things? Is it not written [Psalms, xxi. 30]: "There is no wisdom nor understanding nor counsel *against the Lord*"? Hence it must be assumed, even for the disobedience to himself. R. Joseph said: "Even a young scholar, if only he is certain that his demand against another is just, may render judgment in his own favor." There was one young scholar concerning whom evil rumors were current. Said R. Jehudah: "What shall be done in this case? Shall we put him under the ban? The rabbis need him. Shall we not? The name of Heaven will be profaned." And he asked Rabba bar bar Hana: "Do you know anything about such a case?" He answered him: So said R. Johanan: "It is written [Malachi, ii. 7]: 'The priest's lips are ever to keep knowledge, and the law are they to seek from his mouth, for he is the messenger † of the Lord of hosts.' That means: If the Master is equal to an angel, law may be sought from his mouth, but not otherwise." Thereupon R. Jehudah put him under the ban. Subsequently, R. Jehudah was taken ill and the rabbis made him a sick-call, among whom was also that young scholar. When R. Jehudah beheld him, he smiled. Said he to R. Jehudah: "Is it not enough that you put me under the ban, that you still laugh at me?" R. Jehudah answered him: "I do not laugh at you, but in the world to come I will be proud to say that I was not biased even towards so great a man as you."

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* The Talmud translates the meaning of the words literally. Hence our translation.

† The text reads "Malach," which means a messenger, and also an angel.

When R. Jehudah died the young scholar came to the college and asked to be absolved from the ban, and the rabbis answered him: "There is not here a man equal in esteem to R. Jehudah to absolve you. Go to R. Jehudah the Second, and he may absolve you." He went to him. Said the Nasi to R. Ami: "Go and examine his case, and if found favorable, absolve him." R. Ami did so, and was about to absolve him when R. Samuel bar Na'hmeni arose and said: "Even when the maid-servant of the house of Rabbi declared one under the ban the sages did respect it for three years, and so much the more we must respect Jehudah our colleague." Said R. Zera: "How did it happen that this old man came to-day to college after an absence of several years? It is a token that the young scholar is not to be absolved." He left weeping, and on the way he was stung by a bee and he died. He was brought to the vaults of the Pious, and was not accepted; he was then removed to those of the Judges, and was accepted. Why so? For he acted as R. Ilai of the following Boraitha: "If one cannot withstand the temptation, he shall go to a place where he is not known, and shall dress in black and wrap himself in black and do as he pleases, but shall not profane the name of Heaven openly."

What was the occurrence with the maid-servant of the house of Rabbi? The maid-servant of the house of Rabbi saw once one beating his grown-up son, and she said: "Let that man be under the ban, for he has transgressed the commandment [Lev. xix. 14]: 'Thou shalt not put a stumbling-block before the blind.'" And the following Boraitha states that this passage relates to one who beats his grown-up son. Resh Lakish was watching an orchard, and there came a certain man and ate of the figs. Resh Lakish shouted to him not to do it, but he paid no attention to him. Resh Lakish then said: "Let this man be under the ban." And the man answered him: "On the contrary, let *that* man be under the ban; for if I am responsible to thee in damages, am I then liable to be put under the ban?" When Resh Lakish came to the college, he was told: "His placing you under the ban is valid, but not yours." "How can it be corrected?" "Go and ask his pardon." "But I do not know where to find him?" And he was told: "You have to go to the Nasi in order to be absolved, as we have learned in a Boraitha: 'One who was put under the ban and he does not know the person, he must go to a Nasi in order to be absolved.'"

R. Huna said: It was enacted in Osha that if the chief of the court should be delinquent, if for the first time he should not be put under the ban, but should only be told: "Be dignified and stay at home." But if for the second time, he should be put under the ban, lest the name of Heaven be profaned. This is not in accordance with the following statement of Resh Lakish: A scholar who is delinquent is not put under the ban publicly, for it is written [Hosea, ii. 5]: "Therefore shalt thou stumble in the day-time, and the prophet also shall stumble with thee in the night," which means: See that he is devoid of publicity, as the night is devoid of daylight.

Mar Zutra the Pious, when a young scholar was delinquent and deserving to be reprimanded, first reprimanded *himself* and then the young scholar. When he entered his residence, he first absolved *himself* and then the young scholar. R. Giddel said in the name of Rabh: "A scholar may first put himself under the ban (for a certain period of time) and afterward absolve himself therefrom." Said R. Papa: "I may be rewarded; for, as a matter of fact, I have never put a young scholar under the ban."

"*And the Nazarite and the leper*," etc. R. Jeremiah questioned R. Zera: "Does it mean in the case when they had no opportunity to do so before, or even when they had?" And he answered him: "We have learned this in the following Boraitha: All those who were said to be permitted to shave on the middle days, may do so only when they had no opportunity to do it before, but not otherwise. A Nazarite, however, may do so, although he had the opportunity to do so before, in order that his sacrifice be not delayed.

The rabbis taught: "All those who were said to be permitted to shave on the middle days, may also do so in their mourning." But have we not learned in another Boraitha that they may not? Said R. Hisda in the name of R. Shila: "The first Boraitha relates to a case where the mournings succeeded one another." If this is the case, why only "those who were said," etc.? Why not every one? As we have learned in a Boraitha: "When one mourning succeeds the other, and so on for a long time, and his hair has become heavy, it may be made light by a razor, and he may wash his clothes in water?" Yea, but as to this, it was taught that R. Hisda said: The Boraitha means by a razor only, but not by scissors; in water, but not with Spanish chalk (which was used then instead of soap) or lye. Said R. Hisda:

"From this it may be inferred that a mourner must not wash his clothes."

The rabbis taught: "As it is not allowed to shave on the middle days, so also is it not allowed to trim the nails. Such is the dictum of R. Jehudah. R. Jose, however, permits it." And the same is the case in regard to mourning. Said Ula: "The Halakha prevails according to R. Jehudah in regard to mourning, and according to R. Jose in regard to the middle days." Samuel, however, said: "The Halakha prevails according to R. Jose in regard to both mourning and the middle days." As Samuel said elsewhere: The Halakha prevails according to the one who is lenient, in regard to mourning. R. Shaman bar Aba said: I was present once on the middle days in the college of R. Johanan, and saw him trimming his nails with his teeth and throwing the parings away. And from the above occurrence three things were inferred: that the nails may be trimmed on the middle days; that there is no aversion to trimming them with the teeth; and that the parings may be thrown away.* R. Itz'hak bar Jacob bar Geurah in the name of R. Johanan sent the following message: "Flaxen garments may be washed on the middle days."

MISHNA: The following documents may be written on the middle days: contracts of betrothing, bills of divorce, and receipts in discharge of debts; also wills or codicils; deeds of gift; premonitions; and deeds of maintenance, certificates of Halitza, and certificates of refusal; arbitration bonds; decrees of the Beth Din; and powers of attorney.

GEMARA: Samuel said: "One is permitted to become betrothed to a woman on the middle days, for fear that he may be preceded by another one." Rabh said in the name of R. Reuben b. Atztrubli: It appears from the Law, the Prophets, and the Hagiographa that the union of a woman to her husband comes from God himself. The Law [Gen. xxiv. 50]: "Then Laban and Bethuel answered and said: The thing hath proceeded *from the Lord*," etc.; the Prophets [Judges, xiv. 4]: "But his father and his mother knew not that it was from *the Lord*"; the Hagiographa [Prov. xix. 14]: "Houses and wealth are an inheritance from fathers; but from the *Lord* cometh an intelligent wife." † Rabh further said in the name of the same authority; and according to others this was learned in a Boraitha:

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* This subject will be explained in Tract Niddah.

† See our "Maamar Ha'ishuth," Wien, 1887, p. 6.

" R. Reuben b. Atztrubli said: ' No one is suspected of having done something (wrong), unless he has really done it; and if he has not done it all, he has done part of it; and if not even that much, he at least had in mind to do it; and if not even that much, he probably approved of it when it was done by others.' " An objection was made: Come and hear [Psalm cvi. 16]: " Moreover, they envied Moses in the camp and Aaron the holy one of the Lord." And R. Samuel bar Itz'hak said: " From this it is inferred that every one suspected his own wife of having relations with Moses?" (Hence we see that one may be suspected although there is no particle of foundation for it?) In that case it was different, for it was done out of hatred. Another objection was made: Come and hear: R. Jose said: " May my share in the world to come be with those who were *groundlessly* suspected." And R. Papa said: " I was once suspected without any ground whatever?" This presents no difficulty. The one is the case when the suspicion has ceased; the other is, when it has not. What is meant by not having ceased? Said Abayi: " My mother told me: ' A town rumor is for a day and a half.' " The case is only if it has not ceased at intervals, but if it has it does not matter; and if, however, it has ceased out of fear, it is not taken into consideration; and even if it was not out of fear, the case is when it was not circulated again more vigorously. All this, however, is the case when the person suspected has no enemies; but if he has, the latter circulated it.

MISHNA: Bonds of debts must not be written on the middle days; but if the lender does not otherwise want to trust the borrower, or the latter has nothing to eat, they may be written. Holy Scrolls, Phylacteries, or Mezuzoth must not be written on the middle days, and not a single letter may be corrrected—even in the Book of Ezra.* R. Jehudah, however, says: " One may write Phylacteries and Mezuzoth for his own use, and he may also spin sky-blue wool for show-threads in his garment."

GEMARA: The rabbis taught: One may write Phylacteries and Mezuzoth for his own use and may spin sky-blue wool for show-threads in his garment; but for others he may do it as a favor only (without compensation). Such is the dictum of

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* It means the first Pentateuch which Ezra wrote. Rashi, however, says that he heard that it should not be read " Ezra," but עזרה, which means the Temple; as to his knowledge, there was a correct copy of the Holy Scrolls, from which all the others were corrected.

R. Meir. R. Jehudah, however, said: "One may connive and sell his own, and then write another one for his own use." But R. Jose said: "He may write and sell in the usual way as much as necessary for his living expenses." Rabh, and according to others Rabba bar bar Hana, rendered his decision to R. Hananel: "The Halakha prevails, that one may write and sell in the usual way as much as necessary for his living expenses."

MISHNA: One who buried his dead three days before the commencement of the festival is freed from the observance of the seven (days of deep mourning); if eight days before the festival, he is freed from the observance of the thirty days; for the sages hold: "The Sabbath enters into the computation, but does not supersede the mourning, whereas the festivals supersede the mourning, but do not enter into the computation." R. Elazar said: "Since the destruction of the Temple, Pentecost is to be considered (in respect to mourning) like the Sabbath." R. Gamaliel said: "The New Year and the Day of Atonement are to be considered like festivals; the sages, however, say that it is neither as the one nor as the other, but hold that there is no distinction between the Pentecost and any other festival, but the New Year and the Day of Atonement are like the Sabbath."

GEMARA: Rabh said: "Only the *observance* of the thirty days is dispensed with, but not the days themselves." So also said R. Huna. R. Shesheth, however, said: "Even the days are dispensed with." In what case may it happen that the days shall still not be dispensed with? If (the observance of the thirty days being dispensed with) one had not shaved himself on the eve of the festival, he may not do so after the festival (during all the thirty days). We have so also learned in a Boraitha: One who buries his dead three days before the festival is freed from the observance of the seven days; if eight days, he is freed from the observance of the thirty days, and he may shave himself on the eve of the festival; if he, however, failed to do so on the eve of the festival, he must not do so after the festival. Abba Saul, however, said: "He may do so, for as the observance of the three days frees from the observance of the seven days, so also does the observance of the seven days free from the observance of the thirty days." Seven days? Have we not learned eight? Abba Saul is of the opinion that a portion of a day counts for a whole day, and the seventh day enters into the computation of both. Said R. Hisda in the

name of Rabina bar Shila: "The Halakha prevails according to Abba Saul, and even the sages concede to Abba Saul that in case the eighth day falls on a Sabbath which is incidentally the eve of a festival, he may shave on the eve of Sabbath." According to whom is the statement of R. Amram in the name of Rabh: "A mourner, as soon as his condolers have left him, is permitted to wash himself"? It is according to Abba Saul. Said Abayi: The Halakha prevails according to Abba Saul in regard to the seventh day; and the sages concede, in regard to the thirtieth day, that a portion of a day counts for a whole day. Rabha said: The Halakha prevails according to Abba Saul regarding the thirtieth day, but not regarding the seventh day. But the sages of Nehardea maintained that the Halakha prevails according to Abba Saul in both cases, as Samuel said: "The Halakha prevails according to the one who is lenient in regard to mourning." Abayi inquired of Rabba: "If one buried his dead on the festival, does, or does not, the festival enter into the computation of the thirty days? Certain it is to me that it does not enter in regard to the seven days, for the observance of the seven is not customary on the festival; but my question is in regard to the thirty days, because the observance of the thirty days *is* customary on the festival?" And he answered him: "It does not enter." Abayi raised an objection based on the following Boraitha: The festival enters into the computation of the thirty days. How so? If the burial took place in the beginning of the festival, the observance of the seven days begins after the festival, and his work may be done by others, and his male and female servants may do their work privately, and the public need not condole with him during the seven days, for they have already done so on the festival; and the festival enters into the computation of the thirty days? This objection remains unanswered. When Rabbin came from Palestine he said in the name of R. Johanan: "Even if he was buried on the festival" (the festival enters into computation). So also has R. Elazar decided to his son R. Padath.

The rabbis taught: If one has observed the lowering of the couch for three days prior to the festival, he need not observe it any more after the festival. Such is the dictum of R. Eliezer. The sages, however, hold: "Even one day, and even one hour." Said R. Elazar b. R. Simeon: These are, respectively, the decrees of the school of Shammai and the school of Hillel. For the school of Shammai decrees: "Three days"; and the school

of Hillel decrees: "Even one day." Said R. Huna in the name of R. Hyya bar Abba, quoting R. Johanan, and according to others R. Johanan said to R. Hyya bar Abba and R. Huna: "Even one day, and even one hour." Rabha said: "The Halakha prevails according to our Tana (of the Boraitha), who holds three days."

Rabina happened to be in Sura of Euphrates. Said R. Habibha to him: "What is the Halakha?" And he answered him: "Even one day, and even one hour." R. Jose bar Abin said: "One who receives information which is recent on the festival, but becomes remote after the festival, the latter counts, and mourning is observed only one day." Rabbi Ada of Kisri taught before R. Johanan: "One who receives information which is recent on the Sabbath but becomes remote thereafter, must mourn one day only." Must he rend (his garments) or not? R. Mani said: "He may not." R. Hanina, however, said: "He may." Said R. Mani to R. Hanina: "As to my statement, it is correct, because rending is customary only together with the observance of the seven days; but as to your statement, is then there a case in which one must rend although there is no mourning of the seven days?" Is there not such a case? But has not R. Isi the father of R. Zera, and according to others the brother of R. Zera, taught before R. Zera: "One who has no garment to rend and he becomes a mourner, if within the seven days, he must rend; if after the seven days, he may not"? And R. Zera rejoined: "This is the case only in the five cases of relatives whom one is bound to bury, but over his father and mother he must rend notwithstanding (the lapse of the seven days?). In this case it is only out of respect to his father and mother."

"*Because the sages held that Sabbath enters into computation,*" etc. The inhabitants of Judea and the inhabitants of Galilea: Those hold that the law of mourning applies on Sabbath (to things done privately), because the Mishna states: "It enters into computation"; and these hold that it does not apply, because the Mishna states: "But it does not supersede."

But does not the Mishna state that it enters into computation? It is only because it has to state in the latter part, that it does not enter, he uses also in the first past "enter." But did not the Mishna state plainly "it does not supersede"? This is for the same reason, as it has to state in the latter part "it does supersede" it uses the same term in the first part also.

Raphram bar Papa said: "We have learned in Tract 'Great Mourning': 'A mourner is prohibited to have sexual intercourse during his mourning. It happened once that one did have sexual intercourse with his wife during his mourning, and his corpse was dragged about by hogs.'" Samuel said: "To remove the wrapping from the head, the rent from the front to the back, and to put the couch in proper condition (on the Sabbath) is obligatory; but to wear shoes, to have sexual intercourse, and to bathe the hands and feet in warm water on Friday evening is optional." Rabh, however, said that even removing the wrapping is also only optional.

Abayi found R. Joseph during his mourning walking around in the house with his mantle wrapped around his head (on the Sabbath), and he said to him: "Does not the Master hold that mourning is not customary on the Sabbath?" And he answered him: "So said R. Johanan: 'Things of a private nature are permitted.'"

"*R. Elazar said: Since the destruction of the Temple,*" etc. R. Giddel bar Menasiah said in the name of Samuel: "The Halakha prevails according to Rabban Gamaliel (Berachoth), who said that a mourner on the Sabbath is bound to observe all the commandments."

R. Anni bar Shashan lectured in front of the house of the Nasi: "If (the mourning is) observed one day before Pentecost and on Pentecost, it is considered to have been observed fourteen days." (For Pentecost counts for seven days, and so also does the day preceding it, as stated above.) When R. Ami heard of this he was angry, and said: "Is this then his own? This was stated long ago by R. Elazar in the name of R. Oshiya." The same thing was stated in a lecture by R. Itz'hak of Naph'ha in Babylon at the cottage of the Exilarch, and R. Shesheth became angry because R. Elazar in the name of R. Oshiya, the author of this statement (Hagiga, 40), was not mentioned. R. Papa, accompanying R. Avia the elder, lectured: "One day (of observance of mourning) before the New Year and the day of New Year count for fourteen days." Said Rabina: "Therefore, one day before the Tabernacles, the Tabernacles, and the eighth day (which counts for a separate festival) count (regarding mourning) twenty-one days." Rabina happened to be in Sura of Euphrates. Said R. Habibha of same place to him: "Do you, Master, hold: 'If observed one day before the New Year and on the New Year it counts four-

teen days'?" And he answered him: "I have only stated that it seems to me that the Halakha prevails according to R. Gamaliel."

MISHNA: The garments are not rent, nor the shoulders laid bare, nor the funeral meal eaten (on the middle days), unless by the near relatives of the deceased. The funeral meal is not to be taken except on a couch standing up properly.

GEMARA: Does this apply to a scholar also? Have we not learned in a Boraitha: "When a scholar dies, all must rend their garments, bare their shoulders, and partake of the funeral meal served in the public thoroughfare, for all are considered as his relatives"? Nay, this Mishna refers to one who is not a scholar, but an upright man over whom also rending is obligatory, as we have learned in the following Boraitha: "Why do little children die? Because their parents failed to weep (mourn) over the death of an upright man; to one who does so, all his sins are forgiven, for the honor he has done to the deceased." In the case of the death of an ordinary person, however, rending is obligatory only on the one who is present at the time of the death, as we have learned in the following Boraitha: "R. Simeon b. Elazar said: 'One who is present at the time when the death occurs is bound to rend his garments, for it is similar to the case of one who is present at the time the Holy Scrolls are burned, in which case he is bound to rend his garments.'" When R. Saphra's soul passed unto rest, the rabbis intended not to rend their garments, for they said: "We received no teachings from him." Said Abayi to them: "Does, then, the Boraitha treat of a rabbi? It treats of a scholar, and still more so in the present case, when his Halakhas are always on our lips in the college?" Still they were inclined not to rend, for they said: "The time for doing so has already passed." Said Abayi to them: "We have learned: In the case of a scholar, so long as the funeral orations are still going on, one is bound to rend." They then wanted to rend at once (without holding funeral orations). Said Abayi to them: "There is a Boraitha that states that the honor paid to the remains of a scholar lies in the funeral oration." When R. Huna departed, it was intended to place the Holy Scrolls on his bier. Said R. Hisda to them: "Shall we now act against his will? Has not R. Ta'hlipha said: 'I was once present when R. Huna wanted to sit down on a cot on which the Holy Scrolls were lying, and he first removed the latter and then sat down'? Hence we see that he was of the

opinion that one must not sit on a cot on which the Holy Scrolls are placed?" When the cot was to be removed from the house, it was found out that it could not pass through the door; and it was about to be removed through the roof opening, when R. Hisda remarked: "We have a tradition from him that the honor to a deceased scholar demands that he be removed through the door opening." They then wanted to place him on a cot of smaller dimensions, but R. Hisda again remarked: "We have a tradition from him that the respect to a deceased scholar demands that he be removed in the cot he died on." Then they broke away the door-posts, and passed him out. Then R. Abba began the following eulogy: "Our rabbi was worthy that the Shekhina should rest upon him, but Babylon prevented it." When his corpse arrived in Palestine, R. Ami and R. Assi were informed that "R. Huna had arrived." And they said (under the impression that he was alive): "When we were in Babylon we could not raise our heads on account of him (for his great learning), and now he has followed us here." And they were then told: "His *coffin* has arrived." R. Ami and R. Assi went out (to pay their respects). R. Aila and R. Hanina remained in the house. Others, however, said that only R. Hanina remained. What was the reason of those who went out? The following Boraitha: "When a coffin is being removed from one place to another, those present must stand in a row and must pronounce the mourning benediction and the words of consolation." The reason, however, of those who did not go out is the following Boraitha: "When a coffin is being removed from one place to another, those present need not stand in a row," etc. But do not these Boraithas contradict each other? Nay, the one relates to a case where the skeleton is still in good condition; the other where it is not. But R. Huna's skeleton was still in good condition? They were not aware of that. They then began to deliberate where to place his remains, and concluded to place them alongside of those of R. Hyya. For they said: "R. Huna diffused the Torah among Israel as much as did R. Hyya." The question then came up as to who should do the placing. Said R. Haga to them: "*I* will do it, for I was his disciple since the age of eighteen. I never had a wet-dream, and I have served him since then and knew his ways: once it happened that one of his phylactery fillets turned over, and he fasted forty days." When R. Haga brought in the coffin into the arch, he noticed that Jehudah was sleeping at the right of his father and

Hezekiah at his left. He heard Jehudah say to his brother: "Rise, for it would not be correct not to pay respect to R. Huna." When he arose, a pillar of fire arose with him. R. Haga became frightened and, lifting up the coffin of R. Huna, left the arch.

When R. Hisda died they wanted to place the Holy Scrolls on his bier. Said R. Itz'hak: "A thing which was not approved by his Master (R. Huna), we must not do to him." They also intended to leave their rent garments unmended, when R. Itz'hak bar Ami said to them: "In case of a scholar, the rent may be sewed together as soon as those who follow the coffin turn away their faces from the latter." When Rabba bar Huna and R. Hamnuna had died in Babylon, their bodies were brought on camels to Palestine. Arrived at a narrow bridge, where the two camels could not pass at once, both remained standing. An Ishmaelitish merchant present, surprised at the interruption of the journey, asked for the reason, and was told that each of the deceased wished to give the other the preference of the way. "If I were to give my view of the matter," the Arab said, "I should decide in favor of Rabba bar Huna (as he was known to me as a venerable man)." The Arab had hardly concluded his remarks, when the camel bearing Rabba passed the bridge. (As a punishment for not paying proper respect to R. Hamnuna), the molars and front teeth of the Arab fell out. A disciple declaimed the following elegy:

A learned scion of an ancient race
Upward to Sacred Palestina draws,
And bears into illimitable space
The code of battles, the great book of laws.
The cormorant and the hedgehog nightly gloat
Upon destruction spreading far and wide;
For God His wrath upon the earth has hurled,
Our pious sage His voice has called away;
And God is glad that from this sinful world
His dearest servant has come home to stay.*

When Rabina died, the funeral orator held the following oration:

Bend, ye majestic palms, in grief sincere
O'er one who like a palm had flourished here;
Nor cease your mourning when the moon's soft ray
Changes to shadowy night the brilliant day.

* From "The Poetry of the Talmud," by Sekels, with metrical corrections, as also the verses following.

For moon's broad glare had oft to midnight waned
Ere slumber o'er his studious eyelids reigned.

R. Ashi said to Bar Kipuk (the funeral orator): "What oration will you make on *that* day (of my death)?" And he answered him: "The following:

How can the lowly hyssop still survive,
When with devouring flames the cedars strive?
With huge Leviathan the angler's prey,
What have the fishes of the pond to say?
If the dry torrents shame the fisher's hook,
How fares it with the waters of the brook?"

Said Bar Abhin to him: "Heaven forbid that 'net' and 'flame' be used in orations over the righteous." "What, then, would *you* say?" "I would say: 'Weep for the losers but not for the lost (deceased), for *he* passed into rest but we into grief.'" R. Ashi felt discouraged (for one orator used the words "net" and "flame," and the other the word "lost"), and their (of the orators) feet upturned. When he died, neither of the orators came to hold orations. And this was meant by R. Ashi when he said: "Neither Bar Kipuk nor Bar Abhin would be bound to perform the ceremony of Halitza." (*Vide* Yebamoth, 103*a*, where it is stated that those who have deformed feet are not bound to perform Halitza.)

When Rabha came to Hiddekel, he said to Bar Abhin: "Pronounce an (appropriate) prayer," and the latter began: "The major part of Israel went through water; remember, and have mercy. We went astray from Thee as a woman goeth astray from her husband; do not cast us off, for it may have the same indication as that of the bitter-water." [*Vide* Num. v. 11–28.]

R. Hanin, the son-in-law of the Nasi, had been for a long time childless; he prayed and was answered. On the day of the birth of the child he died. The funeral orator on this occasion declaimed the following elegy:

Parental joy was changed to hopeless pain:
Where bliss had entered, grief was doomed to reign;
For in the moment of his hope fulfilled,
The joyful beating of that heart was stilled.

The child was named Hanin after his father. When R. Johanan died, R. Itz'hak b. Elazar began the eulogy as follows: "This day is as momentous to Israel as the day of which the prophet

spoke [Amos, viii. 9]: 'And it shall come to pass in that day that I will cause the sun to go down at noon,'" which R. Johanan explained to have reference to the day of the death of the King Josiah. When R. Johanan departed, R. Ami observed both the seven and the thirty days (of mourning). Said R. Abba the son of R. Hyya bar Abba: "R. Ami stands alone in his action, for so said my father in the name of R. Johanan: 'Even over an instructor in science one need not mourn more than one day.'" When R. Zera departed, the funeral orator delivered the following oration:

> In Babylon this noble sage was born,
> In Palestine he was admired and cherished;
> "Woe unto me!" doth Reketh * sadly mourn,
> "For my most precious jewel now has perished."

When R. Abuhu died, the pillars of Kisri shed tears; when R. Jose died, the gutters of Sepphoris were overrun with blood; when R. Jacob died, the stars were seen in the day-time; when R. Assi, all the trees were rooted out; when R. Hyya, fire-balls fell from heaven; when R. Mena'ham (ben R. Simai), all the images became obliterated and as smooth as if passed upon with a roller; when R. Tan'hum bar Hyya died, all the impressions upon the images were effaced; when R. Eliashib, seventy burglaries were committed in Nehardea; when R. Hamnuna, hailstones fell from heaven; when Rabba and R. Joseph died, the bridge-arches of Euphrates collapsed; when Abayi and Rabha, the bridge-arches of Hiddekel collapsed; when R. Mesharshia died, the trees were laden with thorns (instead of fruit).†

MISHNA: The food for the funeral meal is not placed before the mourners on a table, nor in a silver tureen, nor in a dish, but in wicker baskets. The mourning prayers must not be pronounced on the middle days, but the rows are formed and the consolation is pronounced and the people assembled are at once dismissed. The bier must not be set down in any public place, that the mourning may not spread (in the middle days). The bier of women must at *no* time be there set down, on account of respect (to the sex of the deceased). ‡

"*The bier must not be set down in any public street.*" Said R.

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* Reketh is Tiberias. (Rashi.)

† All this must not be understood literally but allegorically.

‡ The Gemara belonging to this Mishna, which properly does not come in here, will be found in its proper place.

Papa: "No middle days are considered in regard to a scholar (Talmid-Hakham), and so much the more so the half-feast of Hanuka or Purim. This, however, is the case only in the presence of the corpse." This is not so? Has not R. Kahana lamented over the death of R. Zbhid of Nehardea on the banks of the river (and surely the corpse was not there)? Said R. Papa: "That was on the very day he received the information, which is equivalent to the presence of the corpse."

MISHNA: The mourning women may wail during the middle days, but not clap (their palms together). R. Ishmael said: The nearest to the bier may clap. On the days of the New Moon, on the half-festivals of Hanuka and Purim, they may wail and clap, but must not sing lamentations; but when the corpse is interred, they must neither wail aloud nor clap.

What is meant by wailing? When all of them join in one chorus. What is meant by lamentation? When one recites and the others respond, as it is written [Jer. ix. 20]: "Teach your daughters wailing and every one her neighbor lamentation." But of the age that is to come it is written [Isa. xxv. 8]: "He will destroy death to eternity; and the Lord Eternal will wipe away the tear from off all faces."

GEMARA: R. Levi bar Hitha said: One who takes leave of the dead shall not say, "Go *in* peace," but "Go *with* peace," as it is written [Gen. xv. 15]: "But thou shalt come to thy fathers *with* peace" (*Be*sholom); but the contrary must be said when taking leave of the living. When David said to Absalom: "Go *with* peace" [II Sam. xv. 9], the latter hanged himself; while, when Jethro said to Moses [Exod. iv. 18]: "Go *in* peace" (*Le*sholom), Moses went and was successful. R. Levi further said: One who goes from the college to the prayer-house, and *vice versa*, is rewarded by receiving the appearance of the Shekhina, as it is written [Psalms, lxxxiv. 8]: "They go from strength (college) to strength (the prayer-house); each of them appeared before God in Zion." R. Hyya bar Ashi said in the name of Rabh: "Scholars (Talmide-Hakhamim) have no rest even in the world to come, as it is written [ibid.]: 'They go from strength to strength; each of them appeareth before God in Zion.'"

END OF TRACT MOED KATAN (MINOR FESTIVALS).

NEW EDITION

OF THE

# BABYLONIAN TALMUD

Original Text, Edited, Corrected, Formulated, and Translated into English

BY

MICHAEL L. RODKINSON

TRACTS TAANITH, MEGILLA, AND EBEL RABBATHI OR SEMÁHOTH

Volume VIII

BOSTON
THE TALMUD SOCIETY
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## EXPLANATORY REMARKS.

In our translation we adopted these principles:

1. *Tenan* of the original—We have learned in a Mishna; *Tania*—We have learned in a Boraitha; *Itemar*—It was taught.

2. Questions are indicated by the interrogation point, and are immediately followed by the answers, without being so marked.

3. When in the original there occur two statements separated by the phrase, *Lishna achrena* or *Waïbayith Aema* or *Ikha d'amri* (literally, "otherwise interpreted"), we translate only the second.

4. As the pages of the original are indicated in our new Hebrew edition, it is not deemed necessary to mark them in the English edition, this being only a translation from the latter.

5. Words or passages enclosed in round parentheses ( ) denote the explanation rendered by Rashi to the foregoing sentence or word. Square parentheses [ ] contain commentaries by authorities of the last period of construction of the Gemara.

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## A WORD TO THE PUBLIC.

WITH this volume Section Moed (Festivals), the weightiest and most difficult of the six Talmud sections, becomes complete. Students of the Talmud will observe that while the old edition contains twelve treatises, we have embodied thirteen, taking one—viz., Tract Ebel Rabbathi—from Section Nezikin (Damages), for reasons which will be stated further on.

Section Festivals contains all the Halakhoth (ordinances) pertaining to the Sabbath, to festivals, semi-festivals, fast-days, feast-days, and days of mourning, and stands practically independent of all other sections, inasmuch as we have been careful to cull all matter bearing upon the subjects discussed in this section from the other sections, and to insert the same in its proper place. (See Betza, p. 45.)*

And now that by the grace of the Almighty we have succeeded in editing and translating an entire section of the Talmud, a work that, with due modesty, we can claim stands unique in the annals of literature, we deem it but fair to explain to our readers the method adopted by us in the accomplishment of this task, and demonstrate as well the innovations and changes introduced in comparison with the original, ancient edition. They are:

(*a*) In the original the name of each separate treatise alone indicated its contents, while the chapters into which such treatise was subdivided were known merely by the words with which they began. We have, however, headed each chapter with a line or two giving in succinct form the subjects discussed therein.

(*b*) Rashi's commentary, without the aid of which even students of the original Talmud cannot comprehend the intricate meanings of portions of the text, we have, wherever practicable, embodied *in* the text, denoting such commentary by the use of parentheses, and where this was not feasible on account of the

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* This is only one instance where this policy was pursued. There are, of course, countless others, too numerous to mention.

vagueness of the phraseology and its inseparability from the text proper, we have made the commentary an integral part of the text.

(*c*) Wherever Rashi's commentary was insufficient or rather vague, and we were in consequence compelled to make use of one of the several other commentaries forming part of the original Talmud, we have added a footnote giving the name of the other commentator and the reasons for taking his opinion. (See Erubin, p. 211.)

(*d*) The frequent repetitions of discussions, some literally alike and others having a similar tendency even though employing a change of terms, occurring in the several sections and corresponding treatises, we have translated once only. We have been careful, however, to mark such places where a repetition occurs and is not embodied, giving the name of the treatise and the page where it can be found. In this section, now completed, we have also omitted some discussions which are repeated in treatises where they are more pertinent. There they will appear in due time, and where they are at present lacking, a notice to that effect will be found, and the place of their proper insertion is denoted. (See Succah, p. 48.)

(*e*) The original Talmud, with its innumerable biblical quotations, nowhere indicates where such biblical quotations may be found, simply stating: "It is written," etc. One savant named Joshua Boas went to the trouble of publishing a work called "Thora Or," in which he provides each biblical quotation found in the Talmud with its place in its respective book and chapter without naming the verse; but, either through misprints or negligence, they are for the most part incorrect. In our edition we give the book, chapter, and exact verse of each biblical quotation, as well as its correct form, as far as obtainable.

(*f*) We have, wherever necessary, made a footnote explaining the much-encountered Talmudic peculiarity of dividing up a word so as to put a different construction upon its meaning, and thus obliterate its actual linguistic purport. Wherever a word is totally untranslatable the fact is recorded and the word circumscribed likewise in a footnote. We have also had occasion to refer the reader, for the elucidation of some passages, to our previously published works, but in no case is such reference absolutely necessary.

(*g*) It has become necessary in some cases to provide a treatise with a special introduction or an appendix, or both, and

this we have done whenever it seemed to us to facilitate the understanding of such treatise.

(*h*) Wherever the Talmud made use of a Greek word, naturally in Hebrew letters, and consequently at times incorrectly, we have, to avoid errors, rendered the word into pure Greek. In a doubtful case we have appended a footnote giving the word in several versions and emphasizing the one most likely to have been the correct one. (See Erubin, p. 208.)

(*i*) While any index of subjects treated in the Mishna and Gemara is impossible for reasons we have already explained in the few lines heading the synopsis of Volume I., we have provided each volume with a synopsis of a sufficient scope to enable the reader to find any subject of peculiar interest to him without perusing the entire volume.

(*j*) Wherever two disputing Amoraim are not of the same period—on the contrary, were in existence a century or so apart—we have called the attention of the reader to this in a footnote explaining who the discussing teachers were, their probable names, etc.

(*k*) Whatever misprints occurred in the original edition of the Talmud we have carefully corrected, and have explained their probable origin and cause. (Erubin, p. 192.)

(*l*) The absence of commentaries to the tracts Shekalim and Ebel Rabbathi gave us an opportunity to add our own comment, which we have done with as much care and zeal as possible.

Finally, we call attention to the explanatory remarks printed on the reverse of the title-page of each volume.

Now it remains for us to state the reason why we embody the Tract Ebel Rabbathi in this section.

Maimonides tried to find some explanation for the sequence of sections and tracts of the Talmud, and whether he succeeded in this endeavor or not we will leave to the decision of the reader. At all events, as far as the Tract Ebel Rabbathi is concerned, he could not give any reason why it should have found a place in the Section Nezikin (Damages).

As a matter of fact, the Tract Ebel Rabbathi is not among the thirty-seven main tracts comprising the Babylonian Talmud, but is accounted one of the minor tracts written after the original was finished. Yet it would be decidedly wrong to class Ebel Rabbathi with the minor tracts, and for the reason that in a number of instances we find a passage in the Talmud reading, "We have learned in Ebel Rabbathi," proving conclusively that

it antedates the final completion of the original Babylonian edition.

The bibliographers Zunz and N. Bruell endeavored to prove that the Tract Ebel Rabbathi, so frequently mentioned in the Talmud proper, is not identical with the one found among the minor tracts, and Dr. Mielziner, in his Introduction to the Talmud, adds: "It seems to be a reproduction of the same with later additions." We do not care, as the Talmud says, "to put our heads between the mountains," and contradict these learned gentlemen, although they have not quoted by a good many all the quotations of Ebel Rabbathi used by the Talmud, and we have found that all quotations from Ebel Rabbathi are verbatim reproductions from the tract now before us. Be this, however, as it may, this tract is the *only* source in the Hebrew code from which the ordinances and laws pertaining to the mode of procedure with dying, dead, burials, and mourners, in vogue even at this day with all classes of Jews, emanate. Were we to leave this tract untranslated, the Section Festivals would be incomplete.

It must be borne in mind that laws pertaining to mourners are thoroughly discussed in one of the tracts of Section Festivals, Moed Katan, and hence our, we hope valid, excuse for embodying the Tract Ebel Rabbathi as part and parcel of that section. We wish to call attention to the fact, however, that such mourners' ordinances as had no connection with festivals and feast-days we have eliminated from the original tract in which they were contained, and have transferred them to Ebel Rabbathi, where they properly belong.

Having thus, in this introduction, outlined as fully as possible our method of disclosing the weighty contents of Judaism's greatest example of literature to laymen and those of the archæological students unacquainted with the idioms employed by the Talmudic teachers, we lay our work open to the critics and invite, in all honesty of purpose, scholarly, pithy criticism. So far we have only been favored with spasmodic efforts at criticism, consisting mainly of dissenting opinions as to the use of a term or the spelling of a word taken from the Hebrew and transcribed into English. What we would appreciate, however, is a fair and just summarizing of the work as a whole, of its value as such, and of its merit in facilitating the general knowledge among laymen, Gentiles and Jews alike, of ancient customs, ordinances, laws, and usages.

M. L. R.

NEW YORK, *June* 18, 1899.

## A LETTER FROM PROF. DR. M. LAZARUS, GEH. REGIERUNGSRATH.

MERAN (AUSTRIA), d. 14 *Juni*, 1899.

HERRN M. L. RODKINSON, New York:

*Geehrter Herr Rodkinson:* In meinem Briefe vom 20. Juli, 85, habe ich meine Ansicht ausgesprochen, dass nur eine Verbindung von mehreren hervorragenden und bewährten Gelehrten den hohen Zweck einer neuen kritischen Talmud-Ausgabe vollkommen erfüllen könnten. Inzwischen haben Sie selber die Ausführung des Werkes nebst einer englischen Uebersetzung unternommen und bereits 7 Bände drucken lassen. Jedermann muss deshalb Ihren Muth und Ihre Ausdauer bewundern. Auf ein Urtheil, ob Ihre Uebertragung zutreffend ist, muss ich bei meiner bescheidenen Kentniss der englischen Sprache verzichten; aber Ihr genaues Verständniss des Originals steht ja ausser Zweifel und an dem erforderlichen Beirath in Bezug auf die englische Fassung wird es Ihnen ja nicht gefehlt haben.

Jeder Schritt zur Verbreitung einer eingehenden Kentniss des Talmuds auch im Kreise derer, welche die Sprache des Originals nicht kennen, betrachte ich als nützlich und werthvoll. Ich wünsche und hoffe deshalb, dass Sie zur Ausführung Ihres grossen Unternehmens reichliche Unterstützung finden mögen.

Mit hochachtungsvollem Grusse,

LAZARUS.

# TRACT TAANITH (FASTING).

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* See introduction to synopsis in Tract Sabbath, Vol. I., p. xxix.; also note at end of synopsis in Vol. V.

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# TRACT TAANITH (FASTING).

## CHAPTER I.

REGULATIONS CONCERNING THE TIME WHEN MENTION IS MADE OF RAIN IN THE DAILY PRAYER, WHEN RAIN IS TO BE PRAYED FOR, WHEN FAST-DAYS ARE ORDERED ON WHICH TO PRAY ESPECIALLY FOR RAIN, AND THE CHARACTER OF SUCH DAYS OF MOURNING.

MISHNA: From what time should the power manifested in the descent of rain be commenced to be mentioned (in the daily prayer)? R. Eliezer said: "From the first day of the Feast of Tabernacles." R. Jehoshua, however, said: "From the last day of that festival." "For," said he to R. Eliezer, "since rain on the Feast of Tabernacles is considered unpropitious, why should it be mentioned in the prayers?" And R. Eliezer answered: "I do not mean to say that rain should be prayed for, but only that it should be mentioned with the words, 'He causeth the wind to blow, and the rain to descend in its proper time.'" "If so," rejoined R. Jehoshua, "such mention might be made at all seasons of the year."

Prayers for rain should not be said sooner than shortly before the commencement of the rainy season. R. Jehudah said: "The last of the ministers of the congregation who on the last day of the Feast of Tabernacles officiates at the reading-desk should mention the rain, but not he who officiates first. On the first day of Passover, the minister who officiates first (at the morning prayer) should still mention it, but not he who officiates last (at the Additional Service)."

GEMARA: Whence does the Tana of this Mishna adduce that the rain must be mentioned or prayed for at all (in the daily prayer), that he commences by saying: "From what time should it be mentioned"? He adduces this from the Mishna in Tract Rosh-Hashana (New Year) where he has learned that on the Feast of Tabernacles judgment is passed concerning rain, and

having learned this, he proceeds to inform us when rain must be mentioned and prayed for. If so, let him teach us concerning the rain—why does he mention "the power manifested in the descent of rain"? Said R. Johanan: "Because rain descends with the power of God, as it is written [Job, v. 10]: 'Who giveth rain upon the surface of the earth, and sendeth out waters over the face of the fields'; and further it is written [ibid. ix. 10]: 'Who doeth great things which are quite unsearchable, and wonders which are quite without number'" (and rain is also included among these "great things").

Whence do we know, however, that mention must be made of rain in the eighteen benedictions of the daily prayer? Because we have learned in a Boraitha thus: It is written [Deut. xi. 13]: "To love the Lord your God, and to serve him with all your heart and with all your soul." And what service can be performed with the heart? The service of prayer, and immediately following the passage quoted it is said [ibid. 14]: "I will send rain for your land in its due season, the first rain and the latter rain," etc.

R. Johanan said: Three keys are in the hands of the Holy One, blessed be He, which are not intrusted to any messenger, and they are: The key of rain, the key for a woman lying-in, and the key for the resurrection of the dead. The key of rain, as it is written [Deut. xxviii. 12]: "The Lord will open unto thee his good treasure, the heaven, to give the rain of thy land in its season"; the key for a woman lying-in, as it is written [Genesis, xxx. 22]: "And God remembered Rachel, and God hearkened to her, and opened her womb"; and the key for the resurrection of the dead, as it is written [Ezekiel, xxxvii. 13]: "And ye shall know that I am the Lord, when I open your graves and when I cause you to come up out of your graves, O my people." The sages of the West say, that also the key to a man's earnings are in the hands of God alone, as it is written [Psalms, cxlv. 16]: "Thou openest thy hand and satisfiest the desire of every living thing."

Why did not R. Johanan mention this also? Because R. Johanan may claim that rain itself is the means of earning a livelihood.

"*R. Eliezer said: 'From the first day of the Feast of Tabernacles.'*" The schoolmen propounded a question: Whence does R. Eliezer derive his teaching? Does he derive it from the palm-branch which is brought along for use at the morning ser-

vice only, or from the pouring of water, which is brought also in the evening, as the Master says: "It is written [Numb. xxix. 24]: 'Their meat-offerings and their drink-offerings' (in plural), that is to say, that they may be brought even in the evening, and therefore R. Eliezer holds that mention of the rain should be made even on the eve of the Feast of Tabernacles?"

Come and hear: R. Abbahu said: "R. Eliezer derived his teaching from the palm-branch." Some say, that R. Abbahu had a tradition to that effect, while others hold that he takes it from the following Boraitha: From what time is mention made of rain in the daily prayer? R. Eliezer said: "From the time the palm-branch is taken" (*i.e.*, from the time the morning-prayer is said). R. Jehoshua, however, said: "From the time when the palm-branch is laid aside" (*i.e.*, from the time of the Additional Prayer, when the palm-branch is not used). Said R. Eliezer: "Because the four articles * of the Feast of Tabernacles are used only for the purpose of favorably inclining the judgment concerning rain; and as those four articles cannot grow without water, neither can the world exist without water, therefore mention of rain must be made even in the morning." And R. Jehoshua replied: "But rain during the festival of Tabernacles is considered an unpropitious event!" (because it prevents the sitting in the booth). Whereupon R. Eliezer rejoined: "I do not mean to say that rain should be prayed for but merely that it should be mentioned, and it is the same as the mention of the resurrection of the dead, which though this can take place only at the appointed time, it is nevertheless mentioned all the year round. Therefore if a man desires to mention rain in the prayer the whole year, he may do so."

Rabbi, however, said: "I say, that when a man ceases to pray for rain, he should also cease mentioning it." And R. Jehudah ben Bathyra said: "Mention of the rain should begin to be made on the second day of the Feast of Tabernacles." R. Aqiba said: "Even on the sixth day." R. Jehudah in the name of R. Jehoshua said: "The last of the ministers of the congregation who on the last day of the Feast of Tabernacles officiates at the reading-desk should mention the rain; but not he who officiates first. On the first day of the Passover, the minister who officiates first should still mention it, but not he who officiates last."

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* See Leviticus, xxiii. 40.

We have learned in a Boraitha: Our sages did not impose the duty on a man to make mention of the dew and wind in the prayer; but if he desires to do so, he may. Why so? Said R. Hanina: Because dew and wind are never withheld. Whence do I know this? Because it is written [I Kings, xvii. 1]: "Then said Elijah the Tishbite, who was of the inhabitants of Gilead, unto Achab, 'As the Lord the God of Israel liveth, before whom I have stood, there shall not be in these years dew or rain, except according to my word'"; and further, it is written [ibid. xviii. 1]: "Go, show thyself unto Achab; and I will give *rain* upon the face of the earth," but in the latter passage dew is not mentioned, because it was never withheld. It might be asked, however, why Elijah swore that it would not fall? He meant to say merely that no dew which would benefit the soil would fall, for all the dew which should fall would not be productive of any good.

Whence do we know that the wind will not be withheld? Said R. Jehoshua ben Levi: "Because it is written [Zech. ii. 10]: 'For as the four winds of heaven have I spread you abroad,' which signifies, that as the world cannot exist without winds, so it cannot also exist without Israel."

R. Hanina said: From what we have learned so far, we see that if a man said in his prayer during the dry season, "He causeth the wind to blow," he is not obliged to say his prayer over again; but if he said "He causeth the rain to descend," he is bound to say the prayer again. During the rainy season if he omitted in his prayer the words, "He causeth the wind to blow," he need not be made to say the prayer over again, but if he omitted the words, "He causeth the rain to descend," he should be made to say the prayer again. And not only this, but if the man said in his prayer the words, "He causeth the wind to cease and the dew to vanish," he need not repeat the prayer, because those words are of no consequence.

We have learned in another Boraitha: The sages did not impose the duty of mentioning clouds and winds in the prayer; but if a man chooses to do so he may, because they are not withheld.

R. Jehudah said: The wind which comes after the rain does as much good as the rain itself; the sun which comes after the rain does as much good as two rains.

Rabha said: Snow to the mountains is as beneficial as five rains are to the ground, as it is written [Job, xxxvi. 6]: "For

to the snow he saith, 'Be thou on the earth'; likewise to the pouring rain, and to the pouring rains of his strength." *

Rabha said again: "Snow is good for the mountains; a light rain is good for the trees; a heavy rain is good for the budding fruit, and a shower is even beneficial to the seed lying dormant in the ground."

Again Rabha said: "A young scholar is like a seed, lying in the ground, which, once sprouting, will continue to grow." And he said also: "When a young scholar appears excited, it should be known that it is his knowledge that is excited within him, as it is written [Jeremiah, xxiii. 29]: 'Is not thus my word like the fire? saith the Lord.'" And R. Ashi said that a scholar who is not as firm as iron cannot be considered a scholar, because the end of that passage reads: "And like a hammer that shivereth the rock." Said Rabhina: "Still, a man should train himself to speak calmly without anger, as it is written [Ecclesiastes, xi. 10]: 'And remove anger from thy heart.'"

R. Samuel ben Na'hmeni in the name of R. Jonathan said: Three men prayed to God for things that were not suitable (for prayer). Two were answered in a proper manner, but one was answered accordingly. They are: Eliezer the slave of Abraham, Saul the son of Kish, and Jephthah of Gilead. Concerning Eliezer it is written [Genesis, xxiv. 14]: "Be (she) the one thou hast appointed for thy servant Isaac." Now, the maiden may have been blind or maimed, but still the Lord ordained it so that Rebekah was the one. Concerning Saul the King it is written [I Samuel, xvii. 25]: "And it shall be that the man who killeth him, him will the king enrich and his daughter will he give him," etc. It might have happened that a slave or an illegitimate son might have accomplished the feat, but still the Lord destined it to be David. Concerning Jephthah it is written [Judges, xi. 31]: "Then shall it be, that whatsoever cometh forth out of the doors of my house . . . I will burn it up for a burnt-offering." The prayer was improper, because an unclean thing (such as a swine or a dog) might have come forth which would not be a proper sacrifice, and the answer was also not proper, for his own daughter came forth to meet him. This causes the wrathful query of Jeremiah the prophet, as it is written [Jeremiah, viii. 22]: "Is there no more balm in Gilead? or is no physician there?"

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* This is signified because in the Hebrew rain is mentioned five times in this passage—including snow.

(meaning was there not Pin'has the high-priest in Gilead, who could have released Jephthah of his vow?).* And further, it is written [ibid. xix. 5]: "Which I had not commanded, nor spoken, and which had not come into my mind," which implies, "I had not commanded" refers to the sacrificing of the son of Mesha the King of Moab by his father [II Kings, iii. 27]: "now spoken," refers to the daughter of Jephthah; and "which had not come into my mind," refers to Isaac, whom his father Abraham was willing to sacrifice.

Said R. Berachiah: The congregation of Israel also prayed for an improper thing, but the Holy One, blessed be He, answered it in a proper manner, as it is written [Hosea, vi. 3]: "And let us feel it, that we may strive to know the Lord; bright as the morning dawn is his rising; and may He come as the rain unto us, as the latter rain that maketh fruitful the earth." And the Holy One, blessed be He, said: My daughter, thou askest a thing which at times is necessary and at other times is superfluous, but I will be to thee as a thing which is at all times needed, as it is written [Hosea, xiv. 6]: "I will be as the dew unto Israel." Once again the congregation of Israel prayed improperly, saying: "Sovereign of the universe! Set me as a seal upon thy heart, as a seal upon thy arm" [Solomon's Song, viii. 6], and the Lord said: Thou askest me to do a thing which at times can be seen and at other times cannot, for sometimes the heart is closed and the arms are covered; but I will set thee as a seal in a place that is always exposed; as it is written [Isaiah, xlix. 16]: "Behold, upon the palms of my hands have I engraved thee."

"*Shortly before the commencement of the rainy season.*" The schoolmen thought that mentioning rain in the prayer and praying for it was one and the same thing, therefore they said that this Mishna is in accordance with the opinion of R. Jehoshua, who said previously that rain must be mentioned from the time that the palm-branch is laid aside. Said Rabha to them: "Nay; this Mishna may even be in accordance with R. Eliezer's opinion, for mentioning rain and praying for it are two different things."

"*R. Jehudah said: 'The last of the ministers,'*" etc. Is this not a contradiction to what we learn in the next Mishna, namely: Until when is rain to be prayed for? R. Jehudah said: "Until

* Elsewhere the Talmud rebukes both Jephthah and Pin'has; Jephthah would not go to Pin'has because he, being a prince, considered himself the superior of Pin'has, while Pin'has, being high-priest, thought it below his dignity to go to Jephthah, and on account of this pride a human life was sacrificed.

after the Passover," etc. Said R. Hisda: "This presents no difficulty. Our Mishna refers to the *mention* of the rain, while the Mishna quoted refers to *praying* for rain, and rain may be prayed for during the entire Passover." Said Ula: "This statement of R. Hisda is as vinegar to the teeth and smoke to the eyes. If a man may mention rain even when he should not pray for it, why should he not when praying for it also be allowed to mention it?" Therefore, says Ula, this contradiction can be explained from the fact that two Tanaim differ as to the opinion of R. Jehudah.

R. Assi in the name of R. Johanan said: "The Halakha prevails according to R. Jehudah."

How shall *we* do, however, who have two days as the last days of the festival? (Shall we apply the Halakha to the first of those two days or to the last?) Said Rabh: "The rain should be first mentioned in the Additional Prayer on the first of the two last days, then it should be omitted in all prayers until the Additional Prayer on the second of those days, when it should again be mentioned." Said Samuel to those who repeated Rabh's statement: "Go ye and tell Abba this: 'Is it proper that after thou hast sanctified the day thou shouldst make it ordinary again? For in the afternoon prayer of that day thou hast omitted the mention of the rain.' Therefore I say that mention should be made first at the Additional Prayer on the first of the two last days, also in the afternoon prayer, then it may be omitted at night and in the morning of the following day; but it should be again mentioned in the Additional Prayer of the last day." Rabha, however, said: "As he once began to mention it, it should not be stopped again." And so also said R. Shesheth, and even Rabh retracted his former statement, for R. Hananel said in his name that twenty-one days should be counted from the New Year day the same as the ten days preceding the Day of Atonement are counted, and on the twenty-first day he should commence to make mention of the rain and should then not omit it in any of the prayers. So the Halakha prevails.

MISHNA: Till what time is the rain to be prayed for? R. Jehudah says until after the Passover; R. Meir says till the month of Nissan is passed, because it is said [Joel, ii. 23]: "And he hath caused to come down for you the rain, the first rain, and the latter rain in the first month."

GEMARA: Said R. Na'hman to R. Itz'hak: "Does the first rain then descend in the month of Nissan, does it not descend in Mar-Cheshvan? As we have learned in a Boraitha, namely:

'The first rains fall in Mar-Cheshvan and the latter rains in Nissan.'" And R. Itz'hak answered: R. Johanan said thus: The passage quoted in the Mishna, which states that both the first and the latter rains come down in the first month, refers to the time of Joel the son of Pethuel, when, it is written [Joel, i. 4]: "What the caterpillar left, hath the locust eaten," etc. In that year the month of Adar had already passed, and the first rain descended in the month of Nissan. Said the prophet to Israel: "Go and sow your seed." And they replied: "Should one who has a patch of barley or wheat eat it and live, or sow it and die (until the new grain becomes ripe)?" And he said to them: "Still, see that ye sow as much as ye can." Thereupon a miracle occurred, and the grain which had been hidden in the walls and in the subterranean passages of the ants was discovered. They then went and sowed their grain on the second, third, and fourth days of Nissan. On the fifth of Nissan the second rain fell, and on the sixteenth of that month they already offered up the new grain which had ripened. Thus the grain which should have taken six months to ripen, matured in eleven days; and the offerings which were usually brought of grain that had been growing six months, were that time brought of such as had only been growing eleven days, and concerning this generation it is written [Psalms, cxxvi. 5]: "Those that sow in tears shall reap in joyful song."

R. Na'hman said again to R. Itz'hak: "It is written [II Kings, viii. 1]: 'For the Lord hath called for a famine, and it is also coming on the land for seven years.' What was eaten during these seven years?" And he answered: "So said R. Johanan: In the first year they ate the reserve store that they had in their houses; in the second year they ate the reserve store they had in the fields; in the third they ate the flesh of ritually clean animals; on the fourth, the flesh of ritually unclean animals; in the fifth year they ate reptiles; in the sixth year the famine was so severe that people had to eat their own children; and in the seventh it reached a stage where some had to eat the flesh from off their own arms; and the saying [Isaiah, ix. 19]: 'They shall eat every man the flesh of his own arm,' was verified thereby."

Again, R. Na'hman asked R. Itz'hak: It is written [Hosea, xi. 9]: "The Holy One in the midst of thee, and I will not come into the city." How is this to be understood? Because the inhabitants did so much good in the city that they were called holy, and the Holy One did not wish to enter? And R. Itz'hak

answered: "Thus said R. Johanan: The Holy One, blessed be He, said that He would not enter the Jerusalem of the heavens until he could enter the Jerusalem below." "Is there then a Jerusalem above?" asked R. Na'hman. "Yea," was the answer, "for it is written [Psalms, cxxii. 3]: 'Jerusalem! which art built as a city wherein all associate together'" (*i.e.*, Jerusalem is built as that Jerusalem which is connected (associated) with it. Hence there is another Jerusalem, and that is above in the heavens).

R. Na'hman again asked R. Itz'hak: "How is the passage [Jeremiah, x. 8]: 'But at once shall they be shown to be brutish and foolish: it is a doctrine of vanities, it concerneth but wood,' to be understood?" And he replied: "Thus said R. Johanan: One thing will cause men to burn in Gehenna, and that is idolatry; for it is said above, 'a doctrine of vanities, it concerneth but wood,' and further, we find it written [ibid. 15]: 'They are vanity, the work of deception; in the time of their punishment shall they vanish.'"

R. Na'hman asked R. Itz'hak again: "What does the passage [Jeremiah, ii. 13], 'For two evils have my people committed,' mean? Are there only two, and the twenty-four which are subsequently enumerated * (in the same chapter) were forgiven them?" And R. Itz'hak answered: Thus said R. Johanan: One evil which is considered as two—namely, idolatry—as it is written further [ibid.]: "Me have they forsaken, the source of living waters, to hew out for themselves cisterns, broken cisterns, that cannot hold water"; and it is also written [ibid. 10 and 11]: "For pass over to the isles of the Kittites, and see; and unto Kedar send, and consider well: and see if anything like this hath happened. Hath a nation exchanged its gods, which are yet no gods? and still my people hath exchanged its glory for that which cannot profit." In a Boraitha we have learned as follows: The Kittites worship fire and the inhabitants of Kedar worship water, and though knowing that water extinguishes fire, they nevertheless did not exchange their god, while my people exchanged their god for "that which cannot profit."

R. Na'hman and R. Itz'hak sat together at a meal, and R. Na'hman said to the latter: "Let Master relate something!" And R. Itz'hak said: "So said R. Johanan: 'While eating one should not talk, lest the food enter the windpipe (trachea) before

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* According to the commentary of Rabbenu Hananel there are altogether twenty-six evils, committed by the Israelites, enumerated in Jeremiah ii.

the gullet and inflict an injury.'" After having finished their meal, he said: "So said R. Johanan: 'Jacob our father never died.'" And R. Na'hman rejoined: "Then was it in vain that he was mourned and embalmed?" And R. Itz'hak replied: "I make this assertion from the following passage [Jeremiah, xxx. 10]: 'And thou, do not fear, O my servant Jacob, saith the Lord, and be not dismayed, O Israel; for, behold, I will save thee from afar, and thy seed from the land of their captivity; and Jacob shall return, and shall be at rest, and be secure, with none to terrify him.' And Jacob is compared to his children; as the latter are still living so is he also." *

When R. Na'hman and R. Itz'hak were about to part, the former said to R. Itz'hak: "Bless me." And he answered: "I shall tell thee a parable to which this can be compared: A man once went into the desert, and when hungry, thirsty, and tired came to a tree bearing luscious fruit and affording plenty of shade, and underneath which there was a spring of water. He ate of the fruit, drank of the water, and rested beneath the shade. When about to leave he turned to the tree and said: 'Tree, tree, wherewith can I bless thee? That thy fruit may be sweet—it is already sweet; that thou shouldst afford plenty of shade—that also thou dost; that a spring may be near thee—even that thou hast. The one thing left me which I can wish for thee is, that all trees planted from thy seed may be as fruitful as thou art.' So it is with thee. Should I bless thee with knowledge—that thou hast; should I bless thee with riches—that thou also hast; should I bless thee with children—even children thou lackest not; hence all I can wish thee is that thy seed be as prosperous as thou art."

The rabbis taught: Why is the first rain called Yorah? † Because it teaches the people to paint their roofs, take in the fruit, and otherwise prepare for the winter; and also because it satiates the earth and penetrates into the very depths, as it is written [Psalms, lxv. 11]: "Watering her furrows abundantly; smoothing down her ridges, thou softenest her with showers; thou blessest her growth." Another thing that is meant by "Yorah" is "a rain that comes without storm"; and as the first rain is intended for a blessing, so also is the latter rain. And whence do we know that the first rain is intended for a blessing?

* The commentary of Tosphath says that it is a noteworthy fact that while the Scriptures state that Abraham and Isaac died, they say that Jacob "departed this life" [Gen. xlix. 33].

† In addition to Yorah, meaning the first rain, it also means to show or to teach.

From the passage [Joel, ii. 23]: "And ye children of Zion, be glad, and rejoice in the Lord your God; for he hath given you the first rain in beneficence, and he hath caused to come down for you the rain, the first rain and the latter rain in the first month."

The rabbis taught: The first rain falls in the month of Mar-Cheshvan and the latter rain in Nissan. Whence do we know that the first rain should fall in the month of Mar-Cheshvan, perhaps it would do if it fell in the month of Kislev? Because the first and latter rains are mentioned together and by the latter rain is meant that falling in Nissan; for otherwise it would be of no benefit. Hence by the first rain is meant that falling in Mar-Cheshvan. In another Boraitha it is added that such is the dictum of R. Meir; but the sages say: "The first rain falls in Kislev." Who are those sages? Said R. Hisda: That is R. Jose, who says, in another Boraitha, that the time for the first rain is the third day of Mar-Cheshvan; ordinarily it falls on the 7th of that month, and if it is delayed it falls on the 17th. Such is the dictum of R. Meir. But R. Jehudah says the three dates are the 7th, 17th, and 23d, and R. Jose says they are the 17th, the 23d, and the 1st of Kislev; and he added that fasting for rain is not necessary until the 1st of Kislev has passed without rain having fallen. Said R. Hisda: "The Halakha prevails according to R. Jose."

Ameimar taught the same as R. Hisda with reference to another Boraitha: We have learned: As early as the 3d of Mar-Cheshvan, rain should be prayed for. R. Gamaliel said: "On the 7th of that month is the time when the delayed rain should be prayed for." Said R. Hisda: "The Halakha prevails according to R. Gamaliel."

According to whom will the following Boraitha be? We have learned: R. Simeon ben Gamaliel said: "If there was rain for seven consecutive days it must not be considered as too much rain, but merely that there was a threefold fructification of the earth by the rain." (This will be according to R. Jose, who said that seven days elapse between each fructification, and R. Hisda said the Halakha prevails according to R. Jose.) Said R. Abbahu: "Why is it called fructification? Because it fructifies the earth; for R. Jehudah said that the rain is the husband of the earth, as it is written [Isaiah, lv. 10]: 'For as the rain and the snow come down from heaven, and return not thither, but water the earth, and render it fruitful, and cause it to bring forth plants.'"

R. Abbahu said again: "The first fructification takes place if the rain penetrates one span into the ground, and the second fructification is accomplished when the soil is so pliable that it can be used to stop up a barrel without the addition of other water."

R. Hisda said: "If at the first fructification the soil becomes so pliable that it can be used to stop up a barrel, it cannot be considered as if the heavens were closed (and no rain had fallen)." He said again: "If it rained in some cities, but was dry in others, it cannot be said that the heavens are closed." This is not so! For is it not written [Amos, iv. 7]: "And I also had indeed withholden from you the rain, when it was yet three months to the harvest; and I caused it to rain upon one city, and upon another city I caused it not to rain; one piece of land was rained upon, and another piece whereupon it rained not became dried up." And R. Jehudah said, in the name of Rabh, that the entire verse was in the form of a curse? This presents no difficulty. For the verse signifies that in one city it will rain too much and in another it will not rain at all, which is a curse; but if it rain ordinarily in one city and not at all in another (one city can draw its supply from the other). Said R. Ashi: "This very thing may be inferred from the passage itself; for it says 'one piece of land was rained *upon*,' and that implies that in that piece of land there will be too much rain." *

R. Abbahu said: "The day of rain is of more importance than the day of resurrection; for on the latter day only the righteous will arise from the dead, but rain falls for all alike, righteous and wicked." And R. Abbahu differs with R. Jose, who declares that the day of rain is just as important as the day of resurrection, and for that reason is mentioned in the prayer at the benediction regarding the resurrection of the dead.

R. Jehudah said: "The day of rain is as important as the day on which the Law was given, because it is written [Deut. xxxii. 2]: 'My doctrine shall drop as the rain,' and by doctrine is meant the Law; for it is written [Proverbs, iv. 2]: 'For good doctrine do I give you: my law must ye not forsake.'" And Rabha said: "The day of rain is even more important than the day on which the Law was given; for it says: 'My doctrine shall drop as the rain,' and surely the thing upon which another is

* The benediction on rain is transferred from here to Tract Berachoth, as the proper place.

dependent, or to which another is compared, is more important than that other."

The same interpreters cite the following contradiction: It is written [Deut. xxxii. 2]: "My doctrine shall drop as the rain, my speech shall distil as the dew." In the first he says "rain," and in the other "dew." (It is said above that dew is always good, but with rain the case is different?) From this it is to be signified that if the scholar is a conscientious man, consider him as dew, which is always useful; but if he is not, turn your neck to him * as we do to rain.

We have learned: R. Banaha said: "He who studies the Law for the honor of God, his knowledge becomes to him the elixir of life, as it is written [Proverbs, iii. 18]: 'A tree of life is she to those that lay hold on her'; and it is also written [ibid. 8]: 'It will be healing to thy body'; while, further, it is said [ibid. viii. 35]: 'For he who findeth me, findeth life'; but he who studies the Law, not for the honor of God (but in order to injure others or for other purpose), his knowledge becomes to him a deadly poison." As it is written in the passage just quoted, the term *Yaaroph* is to be interpreted as the term *Vearphu* [Deut. xxi. 4]: "And they shall *break* there the neck of the heifer in the valley."

R. Jeremiah said to R. Zera: "Let Master go and teach." And he answered: "My heart is weak, and I cannot." "Then let Master relate some trifling thing from the Haggada," said R. Jeremiah. And R. Zera spoke: "Thus said R. Johanan: 'It is written [Deut. xx. 19]: "The man is a tree of the field."' Is then a man a tree of the field? The passage says previously: 'For of them mayest thou eat, and thou shalt not cut them down'; and further, it says [ibid. 20]: 'Only those trees of which thou knowest that they are not fruit-trees, thou mayest destroy and cut down.' And this implies that the man is compared to a tree, and that if thou knowest a man to be a scholar and a good man, thou shouldst enjoy his company and derive benefit from him; but if he be a scholar but an evil man, thou shouldst avoid him and cut off thy intercourse with him."

R. Hama bar Hanina said: "It is written [Proverbs, xxvii. 17]: 'Iron is sharpened by iron,' and this applies to two scholars who study together, when one sharpens the intellect of the other."

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* The Hebrew term for this is *arpehu*, the term in the beginning of the passage quoted is *yaaroph*, the term for "neck" in Hebrew is *oroph*; hence the explanation according to Samuel Eidlis, which is more proper here than Rashi's.

Rabba bar bar Hana said: Why were the words of the Law compared to fire, as it is written [Jeremiah, xxiii. 29]: "Is not this my word like the fire? saith the Lord." As fire cannot burn without having hold of an object, so the words of the Law cannot remain with one who is alone.

R. Na'hman bar Itz'hak said: Why are the words of the Law compared to a tree, as it is written [Proverbs, iii. 18]: "A tree of life is she to those that lay hold on her." As a small piece of wood kindles a larger, so a lesser scholar brightens the wits of the greater by his queries, and this is as R. Hanina has said: "I have learned much from my teachers, more from my colleagues, and most of all from my disciples."

R. Hanina bar Papa cited a contradiction: "It is written [Isaiah, xxi. 14]: 'Toward him that is thirsty they *bring* water'; and further, it is written [ibid. lv. 1]: 'Every one of ye that thirsteth, *come* ye to the water'?" (This presents no difficulty.) If a man is a diligent disciple and cannot come to the master, the master should go to him; but if he is not a diligent disciple, the master need not go to him, but if he comes to the master he should be taught.

R. Hanina bar Hama cited another contradiction: It is written [Proverbs, v. 16]: "So will thy springs *overflow* abroad"; and further, it is said [ibid. 17]: "They will be *thy own* only"? This means to say, that if a man is a thorough scholar his teachings should be allowed to spread abroad; but if not, they should be for him alone.

R. Hanina bar Idi said: Why are the words of the Law compared to water, as it is written [Isaiah, xxi. 14]: "Toward him that is thirsty they bring water"? Because as water leaves a higher place for a lower, so the words of the Law cannot be retained by one who does not deport himself in a lowly (humble) manner.

R. Oshiya said: Why are the words of the Law compared to the following three beverages—water, wine, and milk? "To water," as it's written in the verse just quoted; to "wine and milk," as it is written [Isaiah, lv. 1]: "Yea, come, buy without money and without price wine and milk." In order to teach us, that as those three beverages can best be kept in common utensils such as wooden or earthen vessels, so the Law can only be retained by those who are humble in their manner. As the daughter of the Cæsar once said to R. Jehoshua b. Hananiah: "Alas for such handsome wisdom, which is in an ugly vessel" (it means that the

rabbi was very homely). And he said to her: "In what does your father keep his best wine?" And she answered: "In earthen vessels." And he rejoined: "Then what is the difference between your father and a commoner?" And she asked: "In what, then, shall it be kept?" And he said: "You, who are wealthy and mighty, ought to keep it in golden and silver vessels!" She then told her father, and he commanded that his wine should be kept in vessels of gold and silver. And it became sour. When the Cæsar was informed of this, he asked his daughter: "Who told you that we should keep our wine in golden vessels?" And she named the above rabbi. He was sent for, and questioned as to the reason of his advice. And he rejoined: "This was only an answer to the question of the princess." "But are there not," the Cæsar said, "men who are handsome and nevertheless are very scholarly?" "Believe me," said the rabbi, "that if they would be homely, their wisdom would be greater still."

R. Hama bar Hanina said: The day of rain is of equal importance with the day on which heaven and earth were created, as it is written [Isaiah, xlv. 8]: "Drop down, ye heavens, from above and let the skies distil blessing; let the earth open, and let them all be fruitful of prosperity, and let righteousness spring up likewise: I the Lord have created it." And as it is said "created *it*" and *not* "created *them*," it proves that rain is referred to; (and hence the day of rain is equally as important as the day of the creation of the heavens and earth).

R. Oshiya said: The day of rain is so great that, even if a man be blessed with prosperity, the prosperity becomes more fruitful, as it is said in the verse quoted: "Let the earth open, and let them all be fruitful of prosperity."

R. Tanhum bar Hanilai said: "Rain does not descend unless the sins of Israel are forgiven, as it is written [Psalm lxxxv. 2–3]: 'Thou hast been favorable, O Lord, unto thy land; thou hast brought back the captivity of Jacob. Thou hast forgiven the iniquity of thy people; thou hast covered over all their sin. Selah.'" Said Zeiri of Dehabath to Rabina: "Ye learn this from the above passage. We, however, apply to this the following: [I Kings, viii. 34]: 'Then hear thou in heaven, and forgive the sin,'" etc. R. Tanhum the son of R. Hyya of the village Acco said: "Rain is not withheld unless the enemies of Israel (meaning Israel itself) deserve to be destroyed, as it is written [Job, xxiv. 19]: 'Drought and heat speedily consume the snow-waters:

so doth the grave those who have sinned.'" Said Zeiri of Dehabath to Rabina: "Ye learn this from the above passage. We, however, apply to this the following [Deut. xi. 17]: 'And he will shut up the heavens . . . and ye shall perish quickly.'"

R. Simeon ben Pazi said: "Rain is not withholden except from such as slander each other, as it is written [Proverbs, xxv. 23]: 'The north wind bringeth forth rain; so doth secret talking, angry countenances.'"

R. Sala said in the name of R. Hamnuna: "Rain is withholden only on account of the impudent, as it is written [Jerem. iii. 3]: 'And though the early showers were withholden, and the latter rain came not: yet hadst thou a forehead of an adulterous wife, thou refusedst to feel shame.'"

R. Sala said again in the name of R. Hamnuna: "The man who is impudent will finally stumble into idolatry." And he derives it from the passage just quoted, "Yet hadst thou a forehead of an adulterous wife." And R. Na'hman said: "An impudent man must be considered as having already stumbled into idolatry; for the passage does not say, 'thou *wilt have* a forehead,' etc., but 'thou *hadst*.'"

Rabba bar Huna said: "An impudent man may be classed with the wicked, as it is written [Proverbs, xxi. 29]: 'A wicked man showeth impudence in his face.'" And R. Na'hman bar Itz'hak said: "He may even be hated, as it is written [Eccles. viii. 1]: 'And the boldness of his face Yesuna (will be lessened)' Do not read 'Yesuna' (will be lessened) but 'Yisonei' (may be hated)."

R. Joseph said: Rain is witholden only for abolishing the the Law, as it is written [Job, xxxvii. 21]: "Yet men see not the light which is bright in the skies, when the wind hath passed along and purified them." By *light* is meant the Law, as it is written [Prov. vi. 23]: "For the commandment is a lamp, and the law is light"; and *bright*, the disciples of R. Ishmael interpret thus: "Even when the sky was spotted with clouds, the wind of the law clears them away."

R. Ami said: Rain is withholden solely on account of the sin of robbery, as it is written [Job, xxxvi. 32]: "His hands he covereth with light." By "his hands" is meant the hands of robbery, as it is written [Jonah, iii. 8]: "And from the violence which is in their hands"; and by "light" is meant rain, as it is written [Job, xxxvii. 11]: "He scattereth the cloud of his lightning."

R. Ami said again: It is written [Eccles. x. 10]: "If the iron be blunt and man do not whet the edge, then must he exert more strength; but the advantage of making it properly sharp is wisdom," which signifies, that if the heavens became closed as the "iron is blunt," it was because of the persistent wickedness of the men who "did not whet the edge" (of righteousness). What is the remedy for the evil? Praying for mercy, as it is said: "Then must he exert more strength"; and so much the more will they be granted mercy if at the beginning their deeds were those of wisdom.

Resh Lakish said: If thou shouldst see a scholar whose mind is blunt as iron, because of unsystematic study, the remedy for him is, that he should devote more time to systematic study in the colleges, as it is said: "Then must he exert more strength." And a better remedy yet is, if he arrange all he had hitherto learned in order, as Resh Lakish would arrange his studies forty times before entering into the presence of R. Johanan [deriving it from the forty days which Moses occupied in receiving the Law on Mount Sinai]. R. Ada bar A'hbah would arrange his studies twenty-four times before entering into the presence of Rabha [deriving it from the twenty-four books of the Scriptures.]

Rabha said: "If thou shouldst see a disciple whose mind is as blunt as iron because his teacher does not thoughtfully explain the teachings to him, the remedy for him is, to request his friends to intercede for him with the teacher in order that the explanations may be more lucid and especially if the disciple's behavior is proper towards the teacher and others." *

R. Ami said again: It is written [Eccles. x. 11): "If the serpent do bite because no one uttered a charm, then hath the man that can use his tongue (in charming) no preference," which signifies that if thou shouldst see a generation in whose time the heavens became firm as copper and would not give forth dew and rain, because there was no one to utter a silent prayer for rain, the remedy is to obtain someone who can pray silently for the removal of the curse. And if the one who is able will not pray, what benefit will he derive from it? hence it is more than probable that he will do so. If, however, he persist in refusing, the most pious of that generation should be appealed to. And

* The above teachings of R. Ami, Resh Lakish, and Rabha are all based upon the one passage—Ecclesiastes, x. 10; but the interpretations of several of the words contained therein are so diversified that we have deemed it advisable merely to render their teachings alone, without reference to the literal text of the verse.

if he did pray and was answered, and because of that he becomes too proud, he brings down wrath upon the world.

Rabha said: Two scholars who reside in one town and are not agreeable to each other in Halakha, they cause wrath and bring the same down as it is written [Job, xxxv. 33].

Resh Lakish said: It is written [Eccl. x. 11]: "If the serpent do bite because no one uttered a charm, then hath the man that can use his tongue (in charming) no preference." In the future all the wild beasts will come to the serpent and question him thus: A lion presses and eats, the wolf tears and eats; but thou, what benefit dost thou derive from killing the creatures? And his answer will be: Do, then, the evil tongues derive any benefit?

Again R. Ami said: The prayer of a man is not answered unless he put his whole soul into it, as it is written [Lamentations, iii. 41]: "Let us lift up our heart with our hands unto God in the heaven." This is not so! For did not Samuel through an interpreter preach as follows: It is written [Psalms, lxxviii. 36 and 37]: "Nevertheless they prayed insincerely to him with their mouth, and with their tongue they lied unto him. For their heart was not firm with him, and with their tongue they lied unto him"; and further, it says [ibid. 38]: "Still he, being merciful, forgave the iniquity." This presents no difficulty. If a man prays alone, he must put his whole soul into it; but if a congregation is engaged in prayer and one of the members does not happen to be as devout as he should, the prayer is nevertheless heard.

R. Ami said again: "Rain falls only for the sake of those who are truthful, as it is written [Psalms, lxxxv. 12]: 'Truth will grow up out of the earth and righteousness will look down from heaven.'" And he said again: "Come and see how great are the men who have faith, and I know this from the story of the cat and the well; for if a man have faith in a cat and a well so much the firmer should his faith be in God." *

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* The legend of the cat and the well is not to be found in the Talmud proper, but the Aruch and Rashi relate it as follows: A youth of a patrician family while strolling through a forest chanced to meet a beautiful maiden with whom he fell violently in love. The maiden received his advances favorably; and he plighted his troth to her, calling upon a well standing near by and upon a cat which at that moment rushed past them as witnesses of his undying affection. Returning to his home, the young man in the midst of festivities forgot about his adventure with the maid of the forest and became betrothed to another maiden of a prominent family. He married her and in due course the union was blessed with a child. Not long after the child was born, its nurse accidentally let it fall into a well. Another child was born to them,

R. Johanan said: "He who justifies all his actions here below, is closely scrutinized by the Power above, as it is written [Psalms, lxxxv. 12]: 'Truth will grow up out of the earth and righteousness will look down from heaven.'" R. Hyya bar Abin in the name of R. Huna adduces the same teaching from another passage [Psalms, xc. 11]: "Which is like the fear of thee," implying that as a man endeavers to prove his fear of the Lord here below, so is he scrutinized as to his sincerity from above. Resh Lakish adduces this same teaching from the passage [Isaiah, lxiv. 4]: "Thou acceptest him that rejoiceth and worketh righteousness, those that remember thee in thy ways: behold, thou wast wroth, for we had sinned on them continually; and can we thus be saved?" which implies that when we accept one who wishes to appear righteous before us, his sins are looked into from above and he is closely observed.

R. Jehoshua ben Levi said: "One who rejoiceth in his affliction brings prosperity to the whole world, because the last two words of the above-cited verse are 'Aulom Venosha,' which should be interpreted, 'the world will be helped.'"

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and one day, when the child was left alone for a moment, a wild cat carried it off and devoured it. Thus was retribution meted out to the youth who had violated his promise.

In Vol. VI., p. 64, of the periodical *Hakol* (the Voice) we published in an article an explanation of the above passage in the Gemara, as follows: "It is entirely unreasonable to assume that one could believe in a cat or a well otherwise than as a means by which God would punish an iniquity, and therefore it is highly probable that the words 'Huldah and Bor, meaning *cat* and *well*, originally were intended for 'Huldah and De*bor*ah, the prophetesses of the Scriptures, and that simply a Daled and a Heh were omitted in the manuscript. The Talmud generally treats prophetesses with but little consideration and regards their prophecy as of small value, for it says in Tract Megilla, p. 37, 'Greatness is not seemly for women. Two prophetesses we had and one was called Deborah (a bee) and the other 'Huldah (a cat).' It then continues to criticise their behavior in general; but still the King Yoshiyahu (Josiah) believed in 'Huldah the prophetess (see II Kings, xxii. 13 to 20) and Barak the son of Abino'am believed in Deborah (see Judges, iv. 8). Thus it would be far more reasonable to explain the above passage in the Gemara, not with reference to the cat and the well, but rather as referring to Deborah and 'Huldah, and say: If a man have faith in the prophetesses 'Huldah and Deborah, he should be so much the firmer in his faith in God." This explanation met with the approval of a number of the most orthodox scholars, but the well-known Rev. Dr. M. Mielziner, in a letter addressed to us, called our attention to the fact "that, were it so, Deborah would stand before 'Huldah in the above passage, having preceded 'Huldah in the chronological order of the Scriptures." In Tract Megilla Deborah really does precede 'Huldah, but we forstalled this query in that article by stating that in all probability 'Huldah was mentioned first in the above passage from the fact that a King (Josiah) believed in her, while a commoner (Barak) was the man who placed his faith in the prophetess Deborah.

Resh Lakish said: It is written [Deut. xi. 17]: "And he will shut up the heaven." When the heaven is shut up from giving rain, it is compared to a woman lying-in, who has all the pain of travail but cannot bear the child; and this is what Resh Lakish said in the name of Bar Qappara: The expression "shut up" is said about rain, as quoted above, and the same expression is used of a woman [Gen. xx. 17]: "For the Lord had fast closed up* every womb." It is said "birth" of a woman [ibid. xxx. 23]: "And she conceived, and bore a son"; and the same expression is used for rain [Isaiah, lv. 10]: "And render it fruitful,"† etc. It is said "visiting" of a woman [Gen. xxi. 1]: "And the Lord visited Sarah"; and the same expression is used for rain [Psalms, lxv. 10]: "Thou hast visited‡ the earth and waterest her abundantly; thou greatly enrichest her; the brook of God is full of water."

In the days of R. Samuel ben Na'hmeni there were two evils in the land—famine and pestilence—and the sages said: What shall we pray for? We must not pray for two things, and we do not know which to pray for—the cessation of famine or of pestilence. Let us pray, then, for the abatement of the pestilence and we shall suffer with the famine. Said R. Samuel ben Na'hmeni to them: "Nay, let us pray for relief of the famine; for if the Merciful One will give bread he will give it to the living, surely not to the dead, and thus the pestilence will cease of itself, as it is written [Psalms, cxlv. 16]: 'Thou openest thy hand and satisfiest the desire of every *living* thing.'" Whence do we know that two things must not be prayed for? From the passage [Ezra, viii. 23]: "So we fasted and besought our God for this." Whence we see that if they besought God for *this*, there must have been something else besides, and only one thing was prayed for.

In the days of R. Zera the government issued proclamations detrimental to the interests of the Jews, and remarked that no fast-days were to be kept. Said R. Zera to the people: "Let us take a fast-day upon ourselves *now*, and when the government shall have rescinded its decree, we will then fast." And they asked him: "Whence dost thou know that this would be beneficial?" And he answered: "I know it, because it is written [Daniel, x. 12]: 'And he said unto me: Fear not, Daniel! for

* The Hebrew term for both is *Otzar*.

† The Hebrew term for both is *Holid*.

‡ Leeser translates in the first *visited*, and in the second *thought of*. The Hebrew term, however, for both is *Pokad*.

from the first day that thou didst set thy heart to obtain understanding, and to fast before thy God, were thy words heard: and I am come in consequence of thy words.'"

R. Itz'hak said: "Even if the years be years of drought, as were the days of Elijah, and rain fall on the eve of Sabbaths, it cannot be considered as a sign of blessing." Again, R. Itz'hak said: "The day of rain is such a blessed day, that even the coin in one's pocket is blessed; for it is written [Deut. xxviii. 12]: 'To give the rain of thy land in its season, and to bless all the work of thy hand.'" *

R. Johanan said: "Rain is not withholden only on account of such men as promise publicly to give charity and then do not carry out their promise, as it is written [Proverbs, xxv. 14]: 'Like clouds and wind without rain, so is a man that vaunteth falsely of a gift.'"

R. Johanan said again: "The passage 'thou shalt truly tithe' signifies that a man should give tithes in order that he may himself become rich.† R. Johanan met a child of Resh Lakish (after the latter's demise) and he asked him: "How far along art thou in thy studies?" And the child answered: "I am at the passage [Deut. xiv. 22]: 'Thou shalt truly tithe,'" and then asked, "What does that passage mean?" R. Johanan replied: "It means: Give tithe in order that thou mayest become rich." The child then said: "Whence dost thou know this?" And he replied: "Go and try it, and see if it is not so." But the child rejoined: "But is it then allowed to try God—is it not written [Deut. vi. 16]: 'Ye shall not tempt the Lord your God.'" And R. Johanan said: "Thus said R. Hosea: 'In all things except tithes, for it is said [Malachi, iii. 10]: "Bring ye all the tithes into the storehouse, that there may be provision in my house, and prove me but herewith, saith the Lord of hosts, if I will not open for you the windows of heaven, and pour out for you a blessing, until it be more than enough."'" Replied the child: "If I had already come to that verse (in my studies) I would not have needed thee nor Hosea thy rabbi."

Once more R. Johanan met the child of Resh Lakish, learning the passage [Proverbs, xix. 3]: "The folly of man perverteth his way and against the Lord will his heart rage." R. Johanan sat

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* The other sayings of the same authority are transferred to tract Baba Metziya as the proper place, and some of them are repeated there.

† *Vide* Tract Sabbath, p. 252.

and pondered, saying: "Is there then anything written in the Hagiographa, of which there should not even be a hint in the Pentateuch?" Said the child of Resh Lakish to him: "Is there not a hint of this in the Pentateuch? Is it not written [Genesis, xlii. 28]: 'And their heart failed them and they were afraid, saying one unto another, What is this that God hath done unto us'?" (and was it not their own folly in selling their brother, that brought the sons of Jacob into their position)? R. Johanan (who had very large eyebrows—so large, in fact, that he had to lift them with silver pincers before he could see well) raised his eyes and wished to gaze at the child, when the mother of the child immediately took him away, saying: "Go away from him, or he may do unto thee what he did unto thy father." (What R. Johanan did to Resh Lakish is explained in Tract Baba Metziya.)

R. Johanan said: Rain may descend even for the sake of the merits of one man, but general prosperity comes only for the sake of the public, as it is written [Deut. xxviii. 12]: "The Lord will open unto *thee* his good treasure, the heaven, to give rain," etc.; and it is written [Exod. xvi. 4]: "I will rain for *you* bread from heaven."

An objection was raised: R. Jose the son of R. Jehudah said: Three good leaders were given to Israel, and they are: Moses, Aaron, and Miriam; and three good gifts were given through them, namely: the well of water which the Israelites had along with them in the desert was given them for the sake of Miriam; the pillar of cloud which led them by day was given them on account of Aaron, and the Manna was given them for Moses' sake. When Miriam died, the well vanished, as it is written [Numbers, xxi. 1]: "Miriam died there, and was buried there"; and immediately afterwards it says: "And there was no water for the congregation." Still, the well was again given to the children of Israel through the prayers of Moses and Aaron.

When Aaron died, the pillar of cloud left.* Still, both the well and the pillar of cloud were returned for the sake of Moses; but when Moses died, everything vanished, as it is written [Zechariah, xi. 8]: "And I removed the three shepherds in one month." Did then Moses, Aaron, and Miriam die in the same month? Did not Moses die in Adar, Aaron in Abh, and Miriam in Nissan? Therefore infer from that passage that the three gifts which were given to Israel vanished in the same month that Moses died.

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* *Vide* Tract Rosh-Hashana, p. 3.

Does all this not prove that the Manna was given solely on Moses' account? Nay; Moses prayed for the whole congregation, and thus he was equal to the whole congregation.

R. Huna bar Manoah, R. Samuel bar Idi, and R. Hyya of Vastania were disciples of Rabha. When Rabha died, they came to R. Papa. When R. Papa would say something that was not quite pleasing to them, they would wink at one another; and he became downhearted. At one time in a dream the passage just quoted: "And I removed the three shepherds in one month," was read to him. On the morrow before they left him he blessed the three disciples, saying: "The rabbis may go in peace" (not wishing that any harm might befall them).

R. Shimi bar Ashi was also a visitor at the college of R. Papa, and would put so many questions to him that it happened at times that R. Papa could not answer them. One day R. Shimi noticed R. Papa, who was reciting the prayer at which the face was generally hidden in the arm, and overheard him pray: "May the Merciful One save me from the disgrace which I suffer at the hands of that Shimi." So at that time he resolved to be silent and not trouble R. Papa any more with questions.

We have learned in a Boraitha: R. Eliezer said: The whole world drinks of the water of the ocean, as it is written [Gen. ii. 6]: "But there went up a mist from the earth and watered the whole face of the ground." Said R. Jehoshua to him: "How can that be? Are not the waters of the ocean salty?" And he replied: "They become sweet in the mist (when evaporating)." R. Jehoshua, however, says: The whole world drinks of the waters above, as it is written [Deut. xi. 11]: "From the rain of heaven doth it drink water." Thus the significance of the first-quoted verse is, that the mists rise unto heaven, open their mouths like bags, and drink in the water, as it is written [Job, xxxvi. 27]: "For he taketh away drops of water, which are purified into rain in the mist"; and the mist is porous like a sieve, through which the rain descends to the earth, as it is written [II Samuel, xxii. 12]: "Heavy masses of water, thick clouds of the skies," and the space from one drop to another is only the width of a hair. All this teaches us that the day of rain is as great as the day of the creation of heaven and earth.

The rabbis taught: The land of Israel was created first of all and the rest of the world afterwards, as it is written [Proverbs, viii. 26]: "While as yet he had not made the land and open fields," and the land of Israel was already made.

The land of Israel is watered by the Lord himself, while the rest of the world is watered by a messenger, as it is written [Job, v. 10]: "Who giveth rain upon the surface of the earth, and sendeth out waters over the face of the fields."

The land of Israel is watered by rain, while the rest of the world is watered by the residue remaining in the clouds, and this is inferred from the same passage [Job, v. 10], which also implies that the land of Israel is watered before the rest of the world.

R. Jehoshua ben Levi, however, said that the whole world is watered with the residue remaining after the garden of Eden had been watered, as it is written [Gen. ii. 10]: "And a river went out of Eden to water the garden"; and in a Boraitha we have learned that with the residue of water left over from a quantity necessary to water a Kur of land, a Tharqabh (one-sixtieth of a Kur) of land can be watered.

The rabbis taught: Egypt measures four hundred square Parsah, and that is only one-sixtieth of Mesopotamia; Mesopatamia is a sixtieth of the whole earth; the earth is one-sixtieth of the garden of Eden; the garden is one-sixtieth of Eden, and Eden is in turn only one-sixtieth of Gehenna. Thus it follows that the whole world is but a lid to the pot. Others say again that Gehenna is immeasurable, while still others maintain that Eden is immeasurable.

R. Oshiya said: "It is written [Jeremiah, li. 13]: 'O thou that dwellest upon many waters, great in treasures,' etc., which implies that the reason why Babylon is great in treasures is because it dwelleth upon many waters." Rabh said: "Rich indeed is Babylon, that reapeth her grain without rain." Abayi said: "I know of a tradition which tells me that swampy ground is better than dry." *

MISHNA: On the third of Mar-Cheshvan prayers for rain should be said; but according to Rabban Gamaliel, on the seventh of the same month—namely, fifteen days after the Feast of Tabernacles—in order to give the last of the Israelites (returning to their homes from the city of Jerusalem, where they had been during the festivals) an opportunity to reach the River Euphrates (the northern boundary line of Palestine).

GEMARA: Said R. Elazar: "The Halakha prevails according to R. Gamaliel." We have learned in a Boraitha: Hananiah said: "In exile, prayers for rain should be said sixty days after

* This passage is in accordance with the explanation of the Aruch.

the equinox of Tishri"; and Huna bar Hyya said in the name of Samuel that the Halakha prevails according to Hananiah.

The schoolmen propounded a question: "What about the sixtieth day after the equinox? Is it included in the sixty days, or is it counted as one of the days on which the prayers are already to be recited?" Said R. Papa: "The Halakha prevails: The sixtieth is considered as the day after the sixty days."

MISHNA: If the seventeenth of Mar-Cheshvan have passed without the rain having yet descended, private individuals commence to keep three fast-days. As soon as it becomes dark on the fast-days, however, it is allowed to eat and to drink; and on the fast-days themselves it is permitted to work, to bathe, to anoint the body, to wear shoes, and to perform the duty of cohabitation.

If the new moon of Kislev has arrived without rain having yet descended, the supreme court shall order three public and general fast-days. As soon as it becomes dark on those fast-days, however, it is lawful to eat and drink; and on the fast-days themselves it is permissible to work, to bathe, to anoint the body, to wear shoes, and to perform the duty of cohabitation.

GEMARA: Who are meant by private individuals (in this Mishna)? Said R. Huna: "The rabbis." We have learned in a Boraitha that if private individuals commenced to keep the fast-days, they should fast on Monday, Thursday, and the following Monday; and they may interrupt their fast-days if a Monday or a Thursday fall on the day of the new moon or on such days as are mentioned in the Roll of Fasts.

The rabbis taught: "A man should not say: 'I am too young a scholar to be counted in among the rabbis, and thus be included in the meaning of the term "private individuals," hence I need not keep the fast-days'; but every young scholar should consider himself a rabbi for that purpose."

Who is called a private individual? One who is worthy of being elected Parnass (president) of the congregation. And who is called a young scholar? One who is asked concerning passages in his studies even in Tract Kalah and can make satisfactory answer.

The rabbis taught: Not every one who would count himself among the private individuals may do so, and not every one who would count himself among the young scholars may do so. Such is the dictum of R. Simeon ben Elazar. Rabban Simeon ben Gamaliel, however, said: "This only applies to those who do so

for the glory thereof, but not to such as only incur an inconvenience by so doing; and the latter, when counting themselves among such persons, should be favorably remembered therefor."

The rabbis taught: One who fasted on account of some trouble, or for the recovery of a sick person, even though the trouble had passed away during the day of his fasting, or the sick person had recovered during that day, should nevertheless continue to fast until nightfall. One who came from a place where there was no fast-day to a place where there was a fast-day must keep that fast-day; but if a man came from a place where there was fasting to a place where there was none, he must nevertheless quietly end his fast. If he forgot that the day was a fast-day, and ate and drank, he should not at least make it apparent to others, and should also not participate in any pleasures on that day, as it is written [Gen. xlii. 1]: "Why do ye look at one another?" which signifies, that Jacob said to his sons: Why do ye make it appear that ye are satisfied when the other races of Esau and Ishmael around you are starving?

R. Jehudah said in the name of R. Hyya: One who travels on the road should not eat much—no more, in fact, than is eaten in a year of famine. Why so? Here in Babylon they say: "In order that the stomach be not filled and thus make walking difficult"; but in Palestine they say: "In order that the supply of food which is carried along be not too quickly exhausted." The difference in the two opinions is therefore concerning a man on board of a ship. There is fear of the supply of food being exhausted, but not that walking will be hindered. On the other hand, the difference of opinion also concerns a man travelling from village to village. There is no fear of the supply of food becoming exhausted, but there is fear of overloading the stomach and thus impeding further progress.

R. Papa when travelling would eat a small loaf after traversing a Parsah, because he thought that eating too much would be injurious to the stomach.

R. Jehudah said in the name of Rabh: A man who has plenty in years of famine and still eats sparingly because others have but a small supply will be saved from sudden death, as it is written [Job, v. 20]: "In famine he redeemeth thee from death." Why is it said "in famine," it should say "from famine he redeemeth thee"? Therefore the passage means to imply that because one ate sparingly in times of famine, he will be redeemed from sudden death.

Resh Lakish said: "A man should not cohabit with his wife in years of famine, as it is written [Gen. xli. 50]: 'And unto Joseph were born two sons *before* the years of famine came.'" A Boraitha, however, teaches that a man who is childless may do so even in times of famine.

The rabbis taught: When Israelites are in trouble and one of them leaves them for the purpose of avoiding the trouble, the two angels who accompany each man lay their hands upon his head and say: "The man who secludes himself from the community which is in distress shall not see the prosperity of the community." Therefore a man should share the common distress of the community, as we see in the case of Moses, who always shared the troubles of the congregation, as it is written [Exod. xvii. 12]: "But when the hands of Moses became heavy, they took a stone, and put it under him, and he sat thereon." Did not Moses possess a pillow or bolster upon which he could have sate down? Yea; but Moses said thus: "Because the community is in distress I shall not use a pillow, but sit on a stone and share their woes." Thus everyone who shares the misery of the community shall also see the prosperity, and lest a man say: "Who will testify that I took no part in the woe of the community?" he should know that the stones and beams of his house will bear testimony to the fact, as it is written [Habakkuk, ii. 11]: "For the stone will cry out of the wall, and the beam out of the woodwork will answer it." The disciples of R. Shila say, that the two angels who accompany a man will testify against him, as it is written [Psalms, xci. 11]: "For his angels will be given charge concerning thee." R. 'Hidka said: "The soul of man will testify against him," as it is written [Micah, vii. 4]: "From her that lieth in thy bosom guard the doors of thy mouth." Others say that the members of a man's body will testify against him, as it is written [Isaiah, xliii. 10]: "Ye are my witnesses, saith the Lord."

It is written [Deut. xxxii. 4]: "The God of truth, and without iniquity." By the "God of truth" is meant, that as retribution is meted out above to the wicked for every transgression which they commit, so are the righteous also held to account in this world for every transgression committed; and as the righteous are rewarded in the world to come for every little good act, so are the wicked rewarded in this world for every fulfilment of a religious duty, be it ever so insignificant. It says further [ibid.]: "Just and upright is He." Infer therefrom that when a man

comes into the world beyond, all his deeds are laid before him in detail, and he is told where and on what day he committed them. The man then answers: "Yea, I did so"; and he is told to subscribe his name, which he does, as it is written [Job, xxxvii. 7]: "He sealeth it on the hand of every man." And not alone this, but the man also exclaims: "I have been justly judged," as it is said [Psalms, li. 6]: "In order that thou mightest be righteous when thou speakest, be justified when thou judgest."

Samuel said: "A man who fasteth is called a sinner." R. Shesheth said: "If a young scholar sitteth and fasteth, may a dog eat his meal." Said R. Jeremiah bar Abba: "In the community in Babylon there is no fast-day except the 9th of Abh"; and in the name of Resh Lakish he said: "It is not lawful for a scholar to fast, because by fasting he diminishes the work in the heavenly cause."

"*As soon as it becomes dark*," etc. R. Zera said in the name of R. Huna: "If an individual took it upon himself to fast the next day, even if he had eaten and drunk the entire night, he may on the morrow recite the fasting-prayer in the Min'hah (afternoon prayer). If a man, however, fasted a day and a night, he must not on the following morning recite the fasting-prayer." Asked R. Joseph: "What does R. Huna hold? That fasting at night is not considered and for that reason the fasting-prayer must not be recited on the following morning, or that fasting at night is considered the same as fasting for a few hours, but for fasting of the latter kind no prayer should be said?" Abayi answered: "R. Huna holds, that fasting at night is considered as fasting for a few hours, and for such a fast the prayer may be said; but the reason that he disallows the fasting-prayer on the morning following the night is because the man originally intended to fast only during the day and did not take upon himself previously to fast the night through also."

Said R. Hisda: "A fast of hours is considered only if the man had not tasted food until night." Said Abayi: "This would not be a fast of hours! it would be a regular fast-day?" R. Hisda means to say that if a man had not eaten before noon through lack of time, and then resolved to fast the remaining half of the day so as to have a fast-day to his credit—although he had only taken it upon himself to fast a half of a day, still it is considered as a regular fast-day.

R. Hisda said again: "A fast-day which was not kept until sunset cannot be called a fast-day." An objection was made:

We have learned in a Mishna: "The priests who had the weekly watch of the Temple fasted, but not the whole day." (This presents no difficulty.) In that case the men of the watch did not intend to fast, but merely to share the trouble of the rest of the community.

Samuel said: "A man who had fasted without having previously taken it upon himself to do so is not considered to have fasted at all." But what if a man did fast without having previously resolved to do so? Said Rabba bar Shila: "That is considered the same as inflating a bag with air." When must a man resolve to fast? Said Rabh: "On the preceding day during the time of the afternoon-prayer." And Samuel said: "On the preceding day at the afternoon-prayer."

Said R. Joseph: "It seems to me that the opinion of Samuel is correct."

The rabbis taught: "Until what time may a man eat on the night preceding a fast-day?" "Until the advent of the morning star." Such is the dictum of Rabbi; but R. Eliezer bar R. Simeon said: "Until the cock crows." Said Rabha: "This applies to one who had not slept; but if he had once retired and slept, he must not eat at all."

Abayi objected: "Did we not learn that if the man slept and arose again, he may eat?" That teaching does not mean if the man had slept, but had only slumbered.

R. Jehudah said in the name of Rabh: "A man, after taking it upon himself to fast on a certain day, may postpone that day and fast on another day; and," continued R. Jehudah, "when I told this to Samuel, he said: 'This is self-evident, for cannot a man vow to do a certain thing and postpone it to some other time?'"

R. Jehoshua the son of R. Idi was a guest of R. Assi; and a calf, the third of its mother, was prepared for him. And they said to him: "Let Master partake of something." Whereupon he replied: "I am fasting this day." And they rejoined: "Why not postpone this fast-day? Does not Master hold with R. Jehudah's decree in the name of Rabh, that a fast-day may be postponed?" And he said: "This is a fast-day to me on account of a dream, and Rabba bar Mahassia in the name of R. Hama bar Guria, quoting Rabh, said: 'A fast-day is to a bad dream what fire is to flax'; and R. Hisda said that the fast-day should be kept only on the same day, and R. Joseph said that even on Sabbath such a fast should be kept, and for the violation of the

Sabbath caused thereby he should keep an additional fast-day later on."

MISHNA: If these (three fast-days) have passed without their prayers having been favorably answered, the supreme court shall decree three more public and general fasts; on the nights preceding these it is not permitted to eat or drink, and on the fast-days it is prohibited to work, to bathe, to anoint the body, to wear shoes or to perform the duty of cohabitation, and the public bathing places are to be closed. Should even these fast-days have passed without their prayers having been favorably answered, then shall the Beth Din decree seven more fast-days, which altogether will make thirteen public and general fasts. These last seven fast-days differ from the preceding six, in that on them the alarm is sounded; the shops remain closed, excepting that on Mondays, towards evening, the shop-shutters (of the dealers in articles of food) may be loosely fastened (*i.e.*, not entirely closed, but in a slanting position), and on Thursday they may be taken off entirely in honor of the Sabbath.

Should even these seven fast-days have passed without a favorable answer to the prayers, the people are to avoid and withdraw from engaging in any joyous occupation, and also to diminish their business; from the erection of buildings and from the planting of pleasure-gardens; from betrothals, weddings, and mutual greetings, like men who are rebuked by the Omnipotent; (pious) private individuals recommence fasting till the end of the month of Nissan. If Nissan had passed and then rain descended, it must be considered a curse, for it is written [I Samuel, xii. 17]: "Is it not wheat harvest to-day?" etc.

GEMARA: It would be right to prohibit bathing, anointing the body, etc., on the fast-day, because those things are luxuries; but why should working be prohibited? Surely working cannot be considered a luxury! Said R. Hisda in the name of R. Jeremiah bar Abba: It is written [Joel, i. 14]: "Sanctify ye a fast, proclaim a solemn assembly, gather the elders," etc. Thus we see that it says, "Proclaim a solemn assembly"; and as certain festivals on which no work may be done are also called "assembly" (Atzereth), it follows that no work may be done on a fast-day also. We might assume then that, as on those other festivals no work may be done from the time of dusk on the preceding eve, such should also be the case with these fast-days. Said R. Zera: It was explained by R. Jeremiah bar Abba that as it is written, "Gather the elders," this might be compared to them;

and as the elders assemble only during the day, so work should *not* be done only during the day. If that be so, then let it be probibited to work only from midday on; for the elders generally assemble about midday. Said R. Shesha the son of R. Idi: This bears out the opinion of R. Huna, who said that in olden times the assemblies of elders would take place from the morning on.

What would the elders do when they assembled in the morning? Said Abayi: From morn until midday they would occupy themselves with municipal affairs; and the first part of the afternoon would be consumed in the reading of the scrolls and of the Haphthorah, while the other part would be devoted to the recital of prayers, as it is written [Nehemiah, ix. 3]: "And they stood up in their standing-place, and read in the book of the law of the Lord their God the fourth part of the day; and another fourth part they made confession, and prostrated themselves before the Lord their God." Perhaps the contrary was the case; *i.e.*, they read the Law and prayed in the forenoon and occupied themselves with the municipal affairs in the afternoon? This would not be consistent; for it is written [Ezra, ix. 4]: "And then assembled themselves unto me every one that trembled at the words of the God of Israel, because of the trespass of the exiles: and I sat astounded until the evening sacrifice; [ibid. 5] And at the evening sacrifice I rose up from my fasting, and while rending my garment and my mantle, I knelt down upon my knees, and spread out my hands unto the Lord my God."

Raphram bar Papa said in the name of R. Hisda: "On days when one is fasting on account of a mournful occurrence, as the 9th of Abh, or when is mourning the loss of a near relative, bathing in either cold or warm water is prohibited; but where bathing is not allowed as a luxury, as on ordinary communal fast-days, warm water must not be used but cold water may be." Said R. Idi bar Abin: "This we have learned also in our Mishna, for it says 'that the bathing places are closed,' which signifies that bathing in warm water is prohibited." Said Abayi to him: "What proof is that? If then cold water was prohibited, would the Mishna say that all rivers and lakes should be drained or stopped up?" And R. Shesha the son of R. Idi replied: "My father meant to say that the following was the difficulty in the Mishna: It says that bathing is not allowed, why then should it add that the bathing places were closed? Therefore the Mishna evidently meant to imply that the bathing places were closed in

order to prevent the use of warm water, but cold water may be used."

Where should the fasting-prayer be mentioned? R. Jehudah led his son R. Itz'hak to the desk, and the latter proclaimed: "If an individual takes it upon himself to fast, he must recite the fasting-prayer and insert it among the eighteen benedictions, between the benediction of redemption and healing."

R. Itz'hak (of a later generation) opposed this: May, then, an individual say an additional benediction? Therefore, according to his opinion, he should say it in the prayer commencing: "Hear our voice, O Lord," etc. And so also said R. Shesheth. What is the final decision? Said R. Samuel bar Sassartai, and so also said R. Hyya bar Ashi in the name of Rabh: "It should be said between the benedictions of redemption and healing." R. Ashi, however, said in the name of R. Janai the son of Ishmael: "In the prayer commencing, 'Hear our voice,'" etc. And thus the Halakha prevails.

We have learned in one Boraitha that pregnant women and those suckling infants should fast only during the first fast-days ordained by the community, but not during the subsequent fast-days. In another Boraitha we have learned that they should fast in the last fast-days, but not in the first; and in a third Boraitha we have learned that they should fast neither in the first nor in the last. Said R. Ashi: Hold firm to the middle Boraitha and the others will be readily explained (*i.e.*, the first Boraitha means to say that they should fast on the three days between the first three days and the last seven, but not on the last seven days; the second Boraitha calls the three middle days the last because they were preceded by three others, hence it says that they should fast only on the last three days, *i.e.*, the three days mentioned above; and the last Boraitha means to say that they need not fast on the first three days or on the last seven, but only on the three middle—thus all three Boraithoth mean one and the same thing).

"*The alarm is sounded.*" Wherewith was the alarm sounded? Said R. Jehudah: "With the cornets." And R. Jehudah the son of R. Samuel bar Shilas, quoting Rabh, said: "With the shout, 'Answer us, O Lord!'" All agree that where cornets are used it is referred to as "sounding an alarm," but they differ concerning the prayer, "Answer us, O Lord!" One says that that is also called sounding the alarm, while the other says that it is not. He who says that the alarm was sounded by reciting the prayer mentioned, also admits that the cornets were used; but

the one who says that the cornets were blown, does not hold that the prayer was also said.

Did we not learn in a Boraitha that on account of other kinds of plagues, such as the itch, locusts, flies, wasps and gnats, and snakes the alarm, was not sounded, but the prayers were merely shouted; and as shouting signifies that the prayer, "Answer us," was merely said, it must be assumed that where it says that the alarm was sounded it means that the alarm was sounded with cornets? This constitutes a difference of opinion among Tanaim, as we learn in a subsequent Mishna (Chap. III. of this Tract), which says: "For the following calamities an alarm is to be sounded even on Sabbath," etc.; and as on the Sabbath it is not permitted to sound an alarm with cornets, we must assume that the prayer, "Answer us," etc., is also called an alarm. Such is the conclusion.

In the days of R. Jehudah the Third there was a calamity. He ordained thirteen fast-days, but no favorable answer was received. He accordingly desired to ordain more fast-days; but R. Ami said to him: "It was said that the community must not be troubled to too great an extent." Said R. Abba, the son of R. Hyya bar Abba: "R. Ami said that from a selfish motive (*i.e.*, he did not care to fast any more), for my father said in the name of R. Johanan that only when rain is withholden thirteen fast-days should be kept, and no more; but on account of other calamities the people should fast until their prayers are answered, and thus we have also learned in a Boraitha.

The inhabitants of Nineveh sent a query to Rabbi: "Should we, whose soil is unusually dry and in need of rain already in the month of Tamuz (June—July) be considered as a community and when praying for rain insert the prayer in the benediction of years, or should we be regarded as individuals and insert the prayer in that commencing, 'Hear us, O Lord!'" He answered them: "Ye are regarded as individuals and must insert the prayer for rain in that commencing, 'Hear us, O Lord.'"

An objection was raised from the following Boraitha: R. Jehudah said: "All this applied to the time when the Israelites were in their own land and Palestine was the principal place, but in the present time the prayers are said according to the place, time, and year?" And he answered him: Thou askest concerning a contradiction of Rabbi to a Boraitha? Rabbi is a Tana, and consequently may have his own opinion and differ with the teaching of a Boraitha. How does the Halakha prevail,

however? R. Na'hman said: "The prayer for rain must be inserted in the benediction of the years," and R. Shesheth said: "It must be inserted in 'hear our voice,'" etc. And the Halakha prevails according to R. Shesheth.

"*But on Thursday they may be taken off entirely*," etc. We have learned in a Boraitha: On Monday towards evening, the shop-shutters were only partly closed; on the Thursday they were entirely opened in honor of the Sabbath; but if there were two doors to the shop, one of them could be opened even on Monday; and if there was a bench against the door, it was allowed to open the door on Monday as usual.

"*From the erection of buildings and from the planting of pleasure-gardens*," etc. We have learned in a Boraitha: What is called a building of pleasure? A house which was built especially for a son about to be married; and what is meant by a pleasure-garden? A bower for princes.

"*And mutual greetings*." The rabbis taught: The scholars would not greet each other at all; but the common people when greeting the scholars would be answered very feebly and with a faint nod. Amongst themselves the scholars would sit wrapped in their cloaks, silent and morose, the same as mourners and as men who were rebuked by the Omnipotent, until the Lord would have mercy upon them.

R. Elazar said: A prominent man must not clothe himself in sackcloth unless he knows positively that his prayers will be answered, as was the case with King Jehoram the son of Achab, concerning whom it is written [II Kings, vi. 30]: "And it came to pass when the king heard the words of the woman, that he rent his clothes, as he was passing along upon the wall; and the people looked, and behold he had sackcloth beneath upon his flesh," etc.

R. Elazar said again: "Not everyone has a right to rend his clothes, nor is it proper for everyone to fall upon his face (in prayer). Moses and Aaron fell upon their faces [Numbers, xiv. 5], and Joshua and Caleb rent their garments" [ibid., ibid.].

R. Zera, and according to others R. Samuel ben Na'hmeni, opposed this: "If it said, 'Joshua and Caleb rent their garments,' the statement of R. Elazar would be correct, but as it says '*And* Joshua and Caleb rent,' etc., it signifies that they did *both*—fell upon their faces and rent their garments."

R. Elazar said again: Not to everyone is it allowed to praise God by rising or by bowing. Kings may do so by rising, as it is

written [Isaiah, xlix. 7]: "Thus hath said the Lord, the Redeemer of Israel, his Holy One, to him who is despised by men, to him who is abhorred by nations, to the servant of rulers, kings shall see it and rise up." Princes may do so by prostrating themselves, as it is written [ibid.]: "Princes, and they shall prostrate themselves."

R. Zera, others say R. Samuel ben Na'hmeni, opposed this: "If the verse read, 'and princes shall prostrate themselves,' it would imply that they would not rise *and* prostrate themselves; but as it reads 'princes, and they shall prostrate,' etc., it implies that they did both."

Said R. Na'hman bar Itz'hak: "I would also remark that not everyone is worthy of obtaining light, and not everyone is worthy to have joy. The righteous are deserving of light and the upright of joy, as it is written [Psalms, xcvii. 11]: 'Light is sown for the righteous, and joy for the upright in heart.'"

## CHAPTER II.

REGULATIONS CONCERNING THE ORDER OF PROCEDURE ON THE LAST SEVEN FAST-DAYS, AND THE PRAYERS TO BE RECITED ON THOSE DAYS.

MISHNA: What is the order of procedure on the fast-days? The ark containing the Holy Scrolls is to be brought into an open place in the city, ashes of burnt substances are to be strewed on that ark, on the head of the Nassi (prince), on the head of the chief of the Beth Din (court of justice); and other persons shall also themselves strew ashes on their heads. The eldest among them shall then address them in heart-moving terms, as follows: "My brethren! Consider that it is not written, anent the (repentance of the) Ninevites, that God regarded their having wrapped themselves in sackcloth and considered their fast-days, but that 'God saw their *works*, that they had turned from their evil way' [Jonah, iii. 10], and the tradition of the prophets is (as it is written): 'Rend your hearts, and not your garments'" [Joel, ii. 13].

After standing up to pray, the people shall place at the praying-desk, to minister, an old experienced person who has children and whose larder is empty, so that his mind may be entirely devoted to his prayer. This person shall say twenty-four benedictions; namely, the eighteen benedictions of the daily prayer, with the addition of six more, which are as follows: The texts of Zikhronoth (remembrance of His creatures) and of Shophroth (sounding of the cornet); the chapters: [Psalms, cxx.) "Unto the Lord, when I was in distress, did I call, and he hath answered me"; [ibid. cxxi.] "I lift up my eyes unto the mountains," etc.; [ibid. cxxx.] "Out of the depths have I called to thee, O Lord; and [ibid. cii.] "A prayer of the afflicted, when he is overwhelmed." R. Jehudah said: It was not necessary to mention the Zikhronoth and Shophroth, but the following passages are to be read instead, namely: [I Kings, viii. 37] "If there be famine in the land, if there be pestilence," etc.; and [Jeremiah, xiv.] "The word of the Lord

that came to Jeremiah concerning the drought"; and the concluding is then added to each.

To the first he (the reader) shall say additionally: "May He who answered Abraham on Mount Moriah answer you, and listen to your (prayer and) cry on this day. Blessed art thou, O Lord, Redeemer of Israel!" To the second he shall say: "May He who answered our ancestors on the Red Sea answer you, and listen favorably unto your cry this day. Blessed art thou, O Lord, who rememberest all things forgotten (by man)!" To the third he shall say: "May He who answered Joshua in Gilgal answer you, and listen to your cry this day. Blessed art thou, O Lord, who deignest to listen to the sound of the cornet!" To the fourth he shall say: "May He who answered Samuel in Mizpah answer you, and listen this day to your cry. Blessed art thou, O Lord, who hearkenest to (our) cry!" To the fifth he shall say: "May he who answered Elijah on Mount Carmel answer you, and listen favorably to your cry on this day. Blessed art thou, O Lord, who hearkenest to prayer!" To the sixth he shall say: "May He who answered Jonah in the bowels of the fish answer you, and listen unto your cry this day. Blessed art thou, O Lord, who answerest in the time of distress!" To the seventh he says: "May he who answered David and his son Solomon in Jerusalem answer you, and listen unto your cry on this day. Blessed art thou, O Lord, who hast compassion on the earth!"

It happened in the days of R. Halaphta and R. Hanina the son of Teradion, that a minister advanced to the praying-desk and completed the entire benediction without any (of the congregation) answering thereto "Amen." (The sexton then proclaimed): "Sound, priests! Sound!" (The minister who said the prayers then continued): "May He who answered our father Abraham on Mount Moriah answer you, and listen favorably to your prayer this day." (The sexton then called): "Sound an alarm, sons of Aaron! Sound an alarm!" (The previous minister continued): "May He who answered our ancestors on the Red Sea answer you, and listen favorably to your cry this day." When the sages were informed of this, they said: "This was not our custom, except at the eastern door (of the Temple) and on the Temple mount."

On the first three fasts, the priests who had the weekly watch of the Temple fasted, but only part of the day, and the ministering priests did not fast at all. On the second three fast-days, the

priests on the weekly watch fasted the whole day, but the ministering priests only fasted part of the day; but on the last seven fast-days both classes of priests fasted the whole day. So said R. Jehoshua. But the sages say: "The first three fasts were not kept by either of the two classes; on the second three fasts the priests on weekly watch would fast part of the day, but the officiating priests would not fast at all. On the last seven, however, the priests on the weekly watch would fast the whole day; but the officiating priests would fast only part of the day."

The priests having the weekly watch may drink wine at night, but not during the day,* but the officiating priests may drink it neither by day nor by night. The priests of the weekly watch and the standing men (commoners attending the public sacrifices as the representatives of the congregation at large) are not allowed to shave their beards or to wash their clothes; but on Thursday they are permitted to do so, in honor of the approaching Sabbath. (Moed Katan, p. 25.)

Wherever it is mentioned in the "Roll of Fasts" that "no lamentation and mourning is to be made" on certain days, it is also prohibited to do so on the day preceding, but permitted on the day following. R. Jose, however, says: "It is prohibited to do so on both the day preceding and the day following." Where it is said, however, "No fasts are to be kept thereon," it is allowed to fast on the day preceding and following days. R. Jose, however, says: "It is prohibited on the preceding, but allowed on the following day."

Public fasts must not be ordered to commence on a Thursday, in order not to raise the price of victuals in the markets;† but the first three fasts must be kept on Monday, Thursday, and the following Monday. But the second three fasts may follow on Thursday, Monday, and the following Thursday. R. Jose says: "Even as the first fasts are not to be commenced on Thursday, so also are the second and last fasts not to commence on that day."

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* This regulation is a general one and applies to ordinary days as well as to fast-days.

† Precautions were taken in every instance to prevent exorbitant prices being charged for victuals and at times even existing ordinances were abrogated for this purpose. Thus no fast-days were ordered to commence on Thursday in order that the dealers in articles of food might not take advantage of the greater demand produced by the necessity of laying in an extra supply for the day preceding the fast and for Sabbath.

Public fasts are not to be ordered to take place on the feast of the New Moon, on that of Dedication (Hanukah), nor on that of Lots (Purim); but if the fast had already been commenced on one of those feasts, it need not be broken. Such is the decree of Rabban Gamaliel. R. Meir, however, says, that although Rabban Gamaliel said that the fast need not be broken, he admits that on those days people are not to fast the entire day. Such is also the case with the fast of the ninth of Abh, if it happen to fall on a Friday.

GEMARA: "*What is the order of procedure on the fast-days?*" Does this apply also to the *first* three fast-days? Then it would be a contradiction to the following Boraitha: The first and the second three fast-days they enter into the praying-house and pray as usual; but in the last seven the ark is to be brought into an open place, etc. Said R. Papa: "Nay; our Mishna also refers to the last seven."

"*On the head of the Nassi* (*prince*)"; and further, the Mishna teaches that "other persons shall also strew ashes on their heads." This should not be so! For did not Rabbi teach in a Boraitha that where an act of honor is to be accomplished the most prominent persons are commenced with, while when an act of humiliation is to be performed the lowest in rank are first considered? The strewing of ashes on the heads of the prince and of the chief of the Beth Din first is also an act of honor; for they are told that they are more worthy of praying for mercy for us and for all the world.

"*Other persons shall also strew ashes on their heads.*" Why must the prince and the chief of the Beth Din have someone else to strew ashes on their heads? Can they not do so themselves? Said R. Abba (or Ada) of Kisri: "The humiliation of disgracing one's self by one's own hands is not equal to that of being disgraced by the hands of others (where prominent persons are concerned, but as for common people it does not matter)." On what part of the head are the ashes put? Said R. Itz'hak: "On the place where the phylacteries are generally worn, as it is written [Isaiah, lxi. 3]: 'To give unto them ornament in the place of ashes,' implying that where ornaments (phylacteries) were worn ashes were put."

Why do they congregate in an open place? Said R. Hyya bar Abba: "In order that they might say: 'We have prayed privately and were not answered, hence we shall humiliate ourselves by praying in public.'" And Resh Lakish said: "In

order that they might say: 'We have been driven from our abodes, and may our banishment be the means of our forgiveness.'" Why is the ark brought into an open place? Said R. Jehoshua ben Levi: "In order that they might say: 'We had a hidden treasure, but through our transgressions that also has become profaned.'" Why do they clothe themselves in sackcloth? Said R. Hyya bar Abba: "In order that they might say: 'We are now like the beasts of the field.'" Why are ashes strewn on the ark? Said R. Jehudah ben Pazi: "In order to say that this is an allusion to what is written [Psalms, xci. 15]: 'With him I am in distress,' meaning that the Shekhina shares the distress of the people." Resh Lakish said: "In order to say that this is an allusion to the passage: 'In their affliction he was afflicted.'" Said R. Zera: "When I saw the rabbis strew ashes on the ark, my whole body trembled."

Why are ashes strewn on the heads of all? Concerning this, R. Levi bar Hama and R. Hanina differ. One says that this is equal to saying: "We are now before thee, O Lord, as ashes"; and the other says: "It is for the purpose of begging the Lord to remember the ashes of Isaac." For what purpose did they go out to the cemeteries?* Concerning this, R. Levi bar Hama and R. Hanina also differ. One says, in order that they might say they were now equal to the dead; while the other says that it was for the purpose of having the souls of the departed pray for them.

Why was the Mount called Mount Moriah [II Chronicles, iii. 1]? Concerning this there is again a difference between R. Levi bar Hama and R. Hanina. One says that Moriah is the equivalent of Horaah (*i.e.*, enactment), while the other says that Moriah is the equivalent of Mora (fear); for when the Temple was built, other nations were awed.

"*In heart-moving terms.*" The rabbis taught: If the eldest among them was also a scholar he would address them; otherwise a scholar, even if he was younger, would address them, and if there was no scholar among them a prominent man would do it. And he would say to them: "Brethren! It is not written, anent the repentance of the Ninevites, that God regarded their having wrapped themselves in sackcloth and considered their fast-days,

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* In the Palestinian Talmud it is stated, in addition to what is taught in this Mishna, that they would clothe themselves in sackcloth, go out to the cemeteries, and sound the cornet.

but that 'God saw their works, that they had turned from their evil way '" [Jonah, iii. 10].

Concerning the Ninevites it is written [Jonah, iii. 8]: "But let man and beast be covered with sackcloth." How was it done? They separated the suckling animals from their mothers and said: "Sovereign of the Universe! If Thou wilt not have mercy upon us, we will not have mercy upon them." And further on: "Let men call unto God with might." What is meant by "with might"? That means to say that they said: "Lord of the Universe! Who of the two should give way unto the other? The oppressed and the one who cannot be oppressed, the righteous and the wicked?" (Now, as we are the oppressed and Thou canst not be oppressed, shouldst Thou not overlook our iniquity?) Further, it is written [ibid.]: "And let them turn every one from his evil way, and from the violence which is in their hands." What is meant by "the violence which is in their hands"? Said Samuel: "If a man had wrongfully appropriated a beam which he had used in building a house, he would tear down the house and restore the beam to its rightful owner."

R. Ada bar Ahabha said: "If a man confesses to a wrong committed, and repents it without making proper restitution therefor, he is equal to a man holding a dead reptile in his hands and bathing himself in order to become clean; for, as a man who has a dead reptile in his hands, even should he bathe in all the legal baths in the world, would not become clean until he had rid himself of the reptile—but if he threw away that unclean thing a bath measuring forty Saahs would cleanse him—so it is with a man who had committed a wrong: unless he made proper restitution all confession and repentance is in vain, as it is written [Proverbs, xxviii. 13]: 'He that concealeth his transgressions will not prosper; but whoso confesseth and forsaketh them will obtain mercy'; and as it is written [Lamentations, iii. 41]: 'Let us lift up our heart and our hands unto God in the heavens.'"

"*After standing up to pray.*" The rabbis taught: At prayer, though there be the eldest and a scholar present, neither should be placed at the reading-desk unless they were experienced in prayer; but only one who has had thorough experience. R. Jehudah said: "The minister should be a man who has children and cannot provide for them, who works hard in the field but has empty storehouses, who has good manners, who is modest, who is popular, who has an attractive, sweet voice, who can read the entire Holy Writ, and is competent to learn Midrash, Hala-

khoth, and Haggadoth, and is conversant with all the benedictions." The rabbis looked among themselves and cast their eyes upon R. Itz'hak bar Ami, who had all those qualities.

(R. Jehudah said:) "'Who has children and cannot provide for them and who has empty (store) houses.' Is that not one and the same thing?" Said R. Hisda: "By an empty house is meant one free from sin." What is meant by "good manners"? One who never had a bad reputation since his earliest youth.

"*With the addition of six more.*" Are there not seven additional benedictions? as the Mishna states further on: "To the seventh he says," etc. Said R. Na'hman b. Itz'hak: By the seventh is meant the seventh to the long benediction, as we have learned in a Boraitha: He says twenty-four benedictions, namely: the eighteen benedictions of the daily prayer, with the addition of six more, and those six are said between the benediction of redemption and healing, and the benediction of the redemption is made longer. After each benediction the congregation answers "Amen." Such was the custom, however, only outside of the Temple, but in the Temple the reader would say: "Blessed be the Lord the God of Israel, from the beginning to the end of the world"; and they would conclude by saying: "Blessed be the Redeemer of Israel." But no "Amen" was answered; and why not? Because in the Temple it was not allowed to answer "Amen." Whence do we deduce this? Because it is written [Nehemiah, ix. 5]: "Arise, bless ye the Lord your God from eternity to eternity. And let men bless thy glorious name, which is exalted above all blessing and praise." This signifies, that after each blessing the Lord's name should be praised (but not that "Amen" should be said).

The rabbis taught: To the first benedictions the reader would say: "Blessed be the Lord the God of Israel, from the beginning unto the end of the world. Blessed be the Redeemer of Israel!" and the people answered after him: "Praised be the name of the glory of His kingdom for ever and ever." The Chazan (sexton) of the congregation then says: "Sound, priests, sound!" The reader then continues: "May He who answered Abraham on Mount Moriah answer you, and listen to your cry on this day." The priests then sound, make an alarm, and sound again. To the second, the reader says at the conclusion: "Blessed be the Lord, who remembereth all things forgotten (by man)"; and the people answer: "Praised be the name of the glory of His kingdom for ever and ever." The Chazan then says: "Sound

an alarm, children of Aaron, sound an alarm!" The reader then says: "May He who answered our ancestors on the Red Sea answer you, and listen favorably unto your cry this day." The priests then make an alarm, sound, and then make another alarm; and such is the manner of procedure with everyone of the benedictions. The Chazan says alternately, "Sound!" and "Sound an alarm!" until all the benedictions are said.

Thus did R. Halaphta proceed in Sepphoris and R. Hanina ben Teradon in the city of Sikhni; and when the sages were informed of this, they said: "This was not customary except at the eastern door of the Temple, and at the Temple Mount."

"*R. Jehudah said: 'It was not necessary to mention the Zikhronoth,'*" etc. Said R. Ada of Jaffa: "The reason of R. Jehudah's dictum is, that the Zikhronoth and Shophroth are only mentioned on the New Year day, on the day of the jubilee, and during times of war."

"*To the sixth . . . to the seventh he shall say,*" etc. Let us see! Jonah lived after the time of David and Solomon, why is he mentioned first? Because he must conclude the benediction to the seventh with, "Blessed be thou, O Lord, who hast compassion on the earth," therefore he must mention Jonah first. We have learned in a Boraitha: It was said upon the authority of Symmachos that instead of the benediction, "who hast compassion on the earth," the benediction, "who makest humble those that are arrogant," is said.

"*On the first three fasts, the priests,*" etc. The rabbis taught: Why was it said that the priests on the weekly watch were allowed to drink wine at night and not during the day? Lest the officiating priests be overwhelmed with work and those on the weekly watch would be required to assist them. And why was it said that the officiating priests must not drink either during the day or at night? Because they were compelled to work day and night.

"*The priests of the weekly watch and the standing men,*" etc. What was the reason that they were not allowed to shave their beards? "In order that they may not enter upon their duties while they are ugly to look upon," said Rabba bar bar Hana in the name of R. Johanan.*

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* The proper time when kings, officials, and the common people may shave their beards will be explained and discussed in Tract Sanhedrin, and for that reason the discussion pertaining thereto is here omitted.

"*Wherever it is mentioned in the 'Roll of Fasts,'*" etc. The rabbis taught: It says in the "Roll of Fasts": These are the days on which fasting is not permitted, and on some of them it is not even allowed to mourn. From the first of Nissan on, until and including the eighth, on which days it was resolved that the strife carried on between the Pharisees and the Bathusees concerning the continual daily offering* should be amicably concluded by adopting the decree of the Pharisees, it was enacted that no mourning or lamenting should be permitted; and from the eighth day of Nissan until after the Passover festival it was established when the feast of Pentecost should be celebrated,† and for that reason on those days no mourning or lamenting is allowed.

The Master said: "From the first day of Nissan," etc. Why does he say from the first? That is the day of the New Moon, and in itself a feast-day when one must not mourn — why does he not say from the second day of Nissan? Said Rabh: "He said 'from the first day of Nissan' so as to provide that even on the day preceding that, one must not mourn." But the first day of Nissan being a feast of the New Moon, it is self-understood that on the preceding day one must not mourn; for such is the law concerning all days preceding a feast-day! Nay; but the feast of the New Moon is a biblical feast-day, and no additional measure need be enacted to provide for its faithful observance; and mourning on a day preceding a feast-day is only prohibited as a precautionary measure, lest the mourning be continued on the feast-day itself. If the feast-day, however, is a biblical one, such a measure is not necessary and is only enacted for rabbinical feast-days.

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* The strife carried on between the Pharisees and the Bathusees concerning the continual daily offering was as follows: The Bathusees maintained that because it is written [Numbers, xxviii. 4]: "The one sheep shalt *thou* prepare in the morning and the other sheep shalt *thou* prepare toward evening," it is permitted for an individual to bring the continual daily offering, while the Pharisees held that the offering must be brought by the congregation from communal funds, basing their claim upon the passage [ibid. 2]: "Shall *ye* observe," etc.

† The Pharisees and Bathusees also disputed about the date when the feast of Pentecost was to be celebrated, the latter claiming that as it is written [Lev. xxiii. 15]: "And ye shall count unto you, from the morrow after the Sabbath . . . seven complete weeks," the day of Pentecost must necessarily fall on the first day of the week; but the Pharisees, through R. Johanan ben Zakkai, maintained that the passage implies that counting must be commenced on the day following the first day of the festival, and therefore the feast of Pentecost would fall on the sixth day of the month of Sivan.

The Master said: "From the eighth day until after the festival," etc. Why does he say "until after the festival"? Why not until the festival? Surely one must not mourn on the festival itself! Said R. Papa: "In the same manner as Rabh said, that the first day of Nissan is mentioned in order to provide for the day preceding it as a day on which one must not mourn, so in this case it says 'until after the festival' in order to include the day following the festival among the days on which it is not allowed to mourn; and this will be in accordance with the dictum of R. Jose, who says in this Mishna 'that it is prohibited to mourn on both the day preceding and following.'"

It was taught: R. Hyya bar Assi said in the name of Rabh that the Halakha prevails according to R. Jose, and Samuel said that the Halakha prevails according to R. Meir.

R. Na'hman ordained a fast-day on the thirteenth day of Nissan, and he was reminded by the sages that that was the day of Torainos; but he replied that the day of Torainos was abolished, for on that day Shmaia and Ahia his brother were slain. Why was R. Na'hman reminded that the day was that of Torainos, he could have been apprised of the fact that it was the day before the feast of Nikanor? Said R. Ashi: "If the day was abolished as the feast-day of Torainos, should it be kept as a precautionary day for the observance of the day of Nikanor?"

What is Nikanor and what is Torainos? We have learned in a Boraitha: Nikanor was one of the Greek viceroys, and every day he would lift up his hand and vow that if ever Judea and Jerusalem came into his hands he would crush them. After the Maccabees conquered him in battle, his thumbs and big toes were cut off and hung up in the gates of Jerusalem, and it was said that the mouth which had vowed against Jerusalem and the hands which had been lifted up against it should be made to suffer.

What is Torainos? It was said: When Torainos desired to slay Lolainos and his brother Papos in Ludkia (Lydda), he said to them: "If ye be of the same nation as Hananiah, Mishael, and Azariah, let your God come and save you from my hands as He did them from the hands of Nebuchadnezzar." They answered: "Hananiah, Mishael, and Azariah were truly righteous men and Nebuchadnezzar was a just king, deserving of being the means through which a miracle was to be performed. But we have incurred the death penalty before Heaven in any event, and if thou shouldst not slay us, God has other agents who will

accomplish this—for instance, lions, bears, and other wild beasts who could kill us; and thou art a wicked man, who art not worthy of having a miracle occur through thee, and God hath given us into thy hands in order to hold thee to account for our blood which thou wilt have shed." Still, he had them executed, and it was said that he did not leave his place before two envoys arrived from Rome, and his skull was split into pieces.

"*Public fasts are not to be ordered*," etc. What is meant by "but if the fast had already been commenced"? Said R. Aha: "If three fast-days had already been kept"; and R. Assi said: "Even if one had been kept."

R. Jehudah said in the name of Rabh: All (of) this (clause of the Mishna) is in accordance with the dictum of R. Meir in the name of Rabban Gamaliel; but the sages said that one must complete his fast. Mar Zutra went and preached in the name of R. Huna, that the Halakha prevails that one must fast under those circumstances and, moreover, complete the fast.

## CHAPTER III.

REGULATIONS CONCERNING OCCURRENCES ON ACCOUNT OF WHICH FAST-DAYS ARE ORDERED, OR ALARMS ARE SOUNDED. WHEN FASTING ON ACCOUNT OF RAIN IS STOPPED.

MISHNA: The order of procedure on fast-days, as mentioned (in the preceding Mishna) above, applies only when the first fructifying rains do not descend; but when the sprouts commence to degenerate, they shall immediately commence to sound an alarm. It should also be immediately sounded if there be an interval of forty days between each rain; for that is a general plague on the land, causing dearth.

If sufficient rain for the growth of sprouts and herbs had fallen, but not for the growth of trees; or sufficient for the growth of trees, but not enough for the growth of herbs; or sufficient for both, but not enough to fill the wells, cisterns, and caves (creeks), an alarm is immediately to be sounded.

Thus, also, if no rain should have fallen over some particular city, similar to that which is written [Amos, iv. 7]: "I caused it to rain upon one city, and upon another city I caused it not to rain; one piece of land was rained upon," etc.—the inhabitants of such a city must fast and sound an alarm, and those of the circumjacent places shall fast, but not sound. R. Aqiba, however, says, "They are to sound, but not to fast."

Thus, also, when pestilence is raging in a city, or when the walls fall down, the inhabitants of such a city must fast, and those of the adjacent places should fast, but not sound. R. Aqiba, however, says: "They should sound the alarm, but not fast." What is considered a pestilence? If in a city capable of furnishing five hundred able-bodied men three persons die in three consecutive days, it is a pestilence; less than this is not a pestilence.

An alarm should be sounded in all places for the following plagues: For a corn-blast, mildew, locusts, crickets, attacks of wild beasts, and hosts of armed men; for all these an alarm should be sounded, because they are spreading evils.

It once happened that some elders going from Jerusalem, each to his own place, decreed a fast, because a corn-blast, the grainless stalks of which were sufficient to heat an oven, had been seen near Ascalon.

They also decreed a fast on account of two children having been devoured by wolves on the other side of Jordan. R. Jose says: "It was not ordered because of the wolves having devoured the children, but because of their presence (in the towns prowling for food)."

On account of the following calamities an alarm should be sounded even on the Sabbath: For a city surrounded by enemies, for a flood threatening to inundate the country, and for a ship in imminent danger of being wrecked at sea. R. Jose says: "This sounding is intended to obtain assistance from men, and not as an imploring cry to God." Simeon the Temanite says: "They shall also sound on the Sabbath in case of pestilence"; but the sages did not coincide with him.

On account of every plague—with which may the community never be visited!—an alarm should be sounded except on account of an excess of rain.

It once happened that Honi Hama'gel (the circle-drawer) was asked by the people to pray for them, that rain might descend. Said he to them: "Go and bring in the Passover ovens,* that they may not be spoiled by the rain." He prayed, but the rain did not descend. What did he then? He drew (marked out) a circle around him, and placing himself within it, prayed as follows: "Creator of the Universe! Thy children have always looked up to me as being like a son of Thy house before Thee. I swear, therefore, by Thy Great Name, that I will not move from this place until Thou wilt have compassion on Thy children." Whereupon the rain commenced to drop down gently. Said he: "It was not for this I prayed, but for rain sufficient to fill the wells, cisterns, and caves." The rain then fell in torrents, and he said: "Not for such rain have I prayed, but for mild, felicitous, and liberal showers." The rain then descended in the usual manner, until the Israelites of Jerusalem were obliged to seek refuge from the city to the Temple Mount, on account of the rain. They came and said to Honi: "Even as thou didst pray that the rain might descend, so pray now that it may cease."

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* The ovens were movable, and were used to roast the paschal lamb on the Passover. When not in use they were kept outside of the house.

And he replied: "Go and see whether the stone To'yim * is covered by the waters." Simeon b. Sheta'h sent him word, saying: "If thou wert not Honi, I would order that thou be anathematized. But what shall I do with thee, since thou art petulant towards God, and yet He forgiveth and indulgeth thee like a petted child who is petulant towards his father and is nevertheless forgiven and indulged? To thee may be applied the passage [Prov. xxiii. 25]: 'Let thy father and thy mother rejoice, and let her that hath born thee be glad.'"

If, while the people are fasting, rain should fall before sunrise, they shall not continue to fast the whole day; but they must do so if the rain fall after sunrise. R. Eliezer says: "If it rains before noon, they need not continue to fast the whole day; but they must do so if the rain commenced after noon is passed." It once happened that a fast was ordered in Lydda and it rained before noon, whereupon R. Tarphon said unto the people: "Go, eat and drink, and make a feast." They went, ate and drank, and made a feast; but in the evening they returned and sang the great Hallel.

GEMARA: "*When the first fructifying rains do not descend.*" A contradiction was made: "We have learned in a Boraitha: 'If the first and second fructifying rains did not descend, prayers for rain must be commenced, and only if the third fructifying rain was withheld fasting is resorted to'?" Said R. Juhudah: "The Mishna means to say this: If the time for the first, second, and third fructification had passed without rain having descended, then the order of fasting goes into effect; but if the first fructification has taken place, yet the seed had not sprouted, or the sprouts had degenerated, then the alarm must be sounded." Said R. Na'hman: "Only if the sprouts had degenerated the alarm is sounded, but not if they had withered (for in the latter event there is still hope that they might revive). Is this not self-evident? It says, distinctly, 'if the sprouts had degenerated'?" R. Na'hman means to say that, even if the sprouts had already reached the stage of stalks and had then withered, it might be assumed that there was no hope of their ever again reviving—hence we are told that all hope is not yet lost.

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* This was the name of a high stone in Jerusalem, where the finders of lost articles would deposit what they had found, and then proclaim that they had found something. The owners would then come, and upon sufficient identification of the lost article it would be restored to them.

"*For that is a general plague on the land, causing dearth.*" What is considered a "plague causing dearth"? Said R. Jehudah: "That is a plague which eventually results in a famine." Said R. Na'hman: "If a town had no grain, but could procure a supply from another town by means of ships, it cannot be said to be suffering from an actual famine, but merely from temporary want; but if the entire land has no grain and it can procure a supply only from another country, and not by means of ships but by means of asses, then a state of famine can be said to exist."

R. Hanina said: "Even if the price of grain has reached the sum of one Sela for one Saah, but at that price it is obtainable, this would merely constitute a case of want; if, however, the price of grain remained one Sela for *four* Saah, but it was not obtainable at all, then a state of famine actually exists." Said R. Johanan: "All this applies when grain is dear but money is plentiful; if, however, grain is not dear but money is scarce, an alarm must immediately be sounded; for I recollect it happened at one time in Tiberias that although four Saah of grain were to be had for one Sela, still many people were starving to death, because they did not have the necessary coin with which to purchase their grain."

"*If sufficient rain for the growth of sprouts . . . had fallen,*" etc. It may well be that sufficient rain can descend for the growth of sprouts that would not be beneficial to the growth of trees—for instance, a heavy rain; or that the rain be sufficient for trees but inadequate for the growth of sprouts—for instance, a light rain (see page 5). It might also be that sufficient rain should descend for both the trees and the sprouts, which would, however, be inadequate to fill the wells, cisterns, and caves; but how can that take place, after what we have learned in a Boraitha, namely: "that sufficient rain descended to fill the wells, cisterns, and caves, which was, however, inadequate for the trees and sprouts"? That (Boraitha) refers to a rain which fell in torrents and filled up the wells, etc., but did no good to the trees and sprouts.

The rabbis taught: In the midst of Passover, if sufficient rain had not yet fallen for the trees, the alarm is already to be sounded; and if there was not sufficient rain by the time the middle (day) of the Feast of Tabernacles was reached, the alarm must immediately be sounded; and at all times where there is not sufficient drinking-water on hand, the alarm should at once be sounded. What is meant by "at once"? The Monday,

Thursday, and Monday following; and the sounding must be effected in the capital of the province concerned.

On account of croup (quinsy or whooping-cough), if fatalities arise therefrom, the alarm must be sounded; but if all affected become cured an alarm is not necessary. On account of locusts (Gobai),* as soon as they make their appearance the alarm is to be sounded. R. Simeon ben Elazar said: "Also on account of grasshoppers" (Chagabim).†

The rabbis taught: An alarm may be sounded on account of the trees (when they have not succeeded) in ordinary years; but when there is a want of rain for the wells, cisterns, and caves, this may be done even in the Sabbatical years. R. Simeon b. Gamaliel, however, said: "It may so be done in Sabbatical years even on account of the trees, as they constitute the means of livelihood of the poor." The same we have learned in another Boraitha, with the addition that even on account of the . . . it may be done, as they are the means of livelihood of the poor.

The rabbis taught: It once happened that the Israelites came to Jerusalem for the festivals, and there was not sufficient water for drinking purposes. So Nakdimon ben Gurion went to a certain master (a heathen), and requested him to lend him twelve wells of water for the pilgrims, promising to return either the twelve wells of water or in lieu thereof twelve talents of silver, at a certain time. When the time arrived, the master sent to Nakdimon in the morning demanding either the wells of water or the silver, and Nakdimon replied: "I have still the whole day's time." At noon the same demand was made, and the same answer given. Late in the afternoon the master sent the same demand, and received a reply that the day had not yet passed. So the master laughed at the idea, saying that if a whole year had elapsed without it having rained, was it possible that it should still rain on that day? and went to his bath rejoicing over the prospect of soon possessing the money due him. At the same time that he entered his bathroom, Nakdimon went into the Temple, wrapped himself in his cloak, and commenced to pray, saying: "Creator of the Universe! It is known to Thee, that not for the sake of glory for me nor for my father's house, but

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* In Tract Chullin, 65 *a*, it says Go-bai zeh Arbah = Gobai, and means locust.

† Chagab is also a locust, and presumably a grasshopper. See Numbers, xiii. 33; Isaiah, xl. 22, etc.

for the glory of Thy name, that the pilgrims in Jerusalem might have water, did I borrow those wells." Immediately upon this the sky became clouded, rain began to fall, and the twelve wells became filled up to overflowing.

When the master stepped out of his bath-house, Nakdimon went out of the Temple, and they met. Said Nakdimon to him: "Refund to me the amount for the water in excess of that which I borrowed from thee." And he replied: "I know well that the Holy One, blessed be He, caused the world to storm only on thy account, yet I can still claim the amount due me, for the sun has already set and the rain descended after the stated time had expired." Nakdimon then reëntered the Temple, again wrapped himself in his cloak and commenced to pray, saying: "Creator of the Universe! Announce to the world that Thou hast favorites here on earth!" Whereupon the clouds immediately scattered, and the sun again commenced to shine. The master seeing Nakdimon, said to him: "Had the sun not reappeared, I should have had a valid claim for the amount of money due me." We have learned in a Boraitha: His name was not Nakdimon, but Boni, and he was called Nakdimon because on his account the sun hastened.*

The rabbis taught: "For the sake of each of three men alone the sun shone, and they are Moses, Joshua, and Nakdimon ben Gurion." This is correct in the case of Nakdimon ben Gurion, from the above-mentioned tradition. In the case of Joshua it is also correct, because so is it written [Joshua, x. 13]: "And the sun stood still in the midst of the heavens." But whence do they adduce that the sun shone for Moses alone? Said R. Elazar: This may be inferred from the analogous term: "I will commence." It is written [Deut. ii. 25]: "This day will I commence to put the dread of thee," and [Joshua, iii. 7]: "This day will I commence to make thee great," etc. R. Johanan said: "(No analogous comparison is necessary, for) it may be adduced from the passage itself [Deut. ii. 25]: 'Whoever will hear of thee shall tremble and shall quake because of thee.' Why will they do this? Because on Moses' account alone the sun shone."

The rabbis taught: A man should always be soft (*i.e.*, pliable, yielding) as a reed, and not hard as a cedar-tree. It once

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* Hastening is called in Hebrew "K'dimah," and Nakdimon is derived from K'dimah, according to the annotations of Joel Sirkosh.

happened that R. Elazar ben R. Simeon (should rather be R. Simeon ben Elazar) went from the tower of Gador, where resided his Master, riding on an ass. He rode leisurely on the banks of the river, being greatly rejoiced and feeling very proud on account of the wealth of knowledge he had accumulated from his Master. On the way he met a man who was terribly ugly (of face).* That man greeted R. Elazar respectfully, and said to him: "Peace be with thee, Rabbi!" The rabbi did not, however, return the greeting, and, moreover, said: "Vain man, how terribly ugly art thou! Are all thy townsmen as ugly as thou art?" And the man replied: "That I know not; but it would be seemly if thou wert to go to the Creator who formed me and say to Him: 'How ungainly is the creature Thou hast made!'" Realizing that he had offended against the man, R. Elazar dismounted and, making an obeisance, said: "I have sinned against thee—forgive me, I pray!" But the man refused, saying: "Nay, I shall not forgive thee until thou shalt go to the Creator and say to Him: 'How ungainly is the creature Thou hast made!'" R. Elazar, however, would not leave the man, and followed him on foot until they reached the city where R. Elazar dwelt. As soon as the townsmen perceived him they thronged towards him with greetings. "Peace be with thee, Rabbi, Rabbi! Master, Master!" The ugly man who preceded R. Elazar asked them whom they were addressing with "Rabbi" and "Master," and they answered: "The man who is following thee." Said he: "If he be a rabbi, may there not be many like him in Israel." And they asked: "Why not?" So he replied that thus and so had he been served by him. They then pleaded with him: "Still forgive him, for he is a great man in the study of the Law." And he said: "For your sakes I will forgive him, but upon the condition that he shall not do likewise again." Immediately following this, R. Elazar went forth and preached: "A man should be soft as a reed and not hard as a cedar."

On account of having been compared with man, it was destined for a reed that the Scrolls, Phylacteries, and Mezuzoth should be written with it.

"*When walls fall down.*" The rabbis taught: "By 'walls' are meant sound walls; *i.e.*, such as were not expected to fall,

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* In Tract Derech Eretz, as well as in the commentaries of Rashi and Tosphath, this man is said to have been Elijah the Prophet, who assumed that disguise in order to humble R. Elazar.

but not such as were tottering." What is meant by "such as are tottering"? Walls that stand on the banks of a stream. As it once happened in Neherdai there was a wall resting on a weak foundation; and although it had been standing for thirteen years, Rabh and Samuel would never pass by beneath it. One day R. Ada bar Ahabha came to Neherdai, and together with Rabh and Samuel set out to go somewhere. Said Samuel to Rabh: "Let the Master go with me in a roundabout way, so as to avoid the wall." But Rabh replied: "To-day this is not necessary. For R. Ada is with us, and his merits are such that a wall would not fall where he is about to walk; hence I have no fear."

R. Huna had wine in a room which was in an unsafe condition, and the walls of which were momentarily expected to fall. He wished to remove the wine, but was afraid to enter the room. So he got R. Ada bar Ahabha to enter the room with him, engaged him in a discussion concerning a Halakha, and while they were arguing R. Huna's men removed the wine. After they left, the walls of the room fell in. When R. Ada realized how he had been used, he became angry.

(What R. Ada did to be so eminently favored will be related in Tract Megilla.)

Rabha asked Raphram bar Papa: "Canst thou not relate to me the good things which R. Huna did?" And he replied: "I do not remember anything of his youth; but when he was of mature age, I know that whenever there was a storm in the city where he lived, which caused any damage to the buildings, he would have himself carried about in a golden palanquin and examine the city, and wherever he noticed an unsafe wall, would order its demolition. Wherever the owner of that building could not afford to have it rebuilt, R. Huna would have it done at his own expense. On every eve of Sabbath he would send his servants to the markets with instructions to purchase all the vegetables, which the marketers had left on their hands, and throw them into the stream, in order that they might not be put on sale again the following week in an unwholesome condition." [Why did he not rather distribute them among the poor than throw them into the stream? Because the poor would depend upon receiving them free the second time, and would not buy any at all. Then why did he not use them as food for the animals? Because R. Huna held that articles which a man can use as food should not be purchased as fodder for cattle to com-

mence with.] "Whenever the sickness of Shaibatha* occurred in his city, he would examine it and give the sufferers relief; outside of his house he placed a jar of water for the use of all who desired him to relieve them. When sitting down to a meal, he would order a servant to throw open the doors and call out: 'Whoever desires to eat, let him come in and do so.'"

Said Rabha: "I could accomplish all that R. Huna did, with the exception of throwing open my doors and inviting everybody to eat; for there are a great many poor people in Mehuzza, and I could not feed them all." (According to another version, he said that he could not do this on account of the many soldiers and Persians stationed in Mehuzza, who would take advantage of such an invitation and eat him out of house and home.)

Ilpha and R. Johanan studied the Law together. They were in very poor circumstances and were in want of food. So they said: "We will lay aside our studies and engage in some remunerative occupation, thereby carrying out what is written [Deut. xv. 4]: 'Indeed, there should be no needy man among thee.'" In the meantime they sat down to eat beneath an unsafe wall. So two angels appeared, and R. Johanan heard one of them say to the other: "Let us throw this wall down upon them, for they are about to leave the pursuit of the future life in order to obtain a worldly livelihood." But the other angel replied: "Let them be; for there is one of them whom the time will succor and who will shortly become great." R. Johanan heard this, but Ilpha did not, and the former asked: "Did Master hear anything?" And Ilpha replied: "Nay; I heard nothing." So R. Johanan thought: "Because I heard it and Ilpha did not, in all probability I am the one who is referred to as shortly to become great." And he said to Ilpha: "I have reconsidered it and will return to the study of the Law, thus fulfilling what is written in another passage [ibid. 11]: 'For the needy will not cease out of the land.'" Thus R. Johanan returned to his studies and Ilpha engaged in business. By the time Ilpha returned, R. Johanan became the chief of the college. The schoolmen after-

*Concerning the sickness of Shaibatha there is a lengthy discussion among the commentators of the Talmud. Some say that it was a muscular disease peculiar to children between the age of two months and seven years. Others say that it was a disease produced by evil spirits, etc. No definite term for the word can be found. The Aruch devotes two whole pages to the different opinions regarding this disease.

wards said to Ilpha: If thou hadst stayed here with us, we would have made thee the chief of the college.*

It was said of Nahum the man of Gim-Zu—who was blind in both eyes, crippled in both hands, both of whose legs were crushed and whose whole body was covered with sores, and who was lying on a bed the feet of which stood in buckets of water so as to prevent worms from reaching his body, and his bed stood in a house which was in a tottering condition—that his disciples at one time wished to remove his bed from that house and then remove all the other vessels contained therein. So he said to them: "My children! First take out everything contained in this house and then remove my bed; for ye can rest assured that as long as I am in this house it will not fall." They did so, and after removing his bed the house fell in. Said the disciples to him: "As we can perceive, Master, thou art a truly upright man. Why, then, art thou so terribly afflicted?" And he replied: "My children! I myself am the cause of it. I was at one time on my way to the house of my father-in-law and had with me three asses, one laden with food, another with drink, and the third with delicacies. In the course of my journey a poor man came to me and said: 'Master, give me some food,' and I answered: 'Wait until I can unload my asses.' But before I had done so, the poor man expired. So I fell on his face and said: 'My eyes, which had no compassion on thy eyes, may they become blind! My hands, which had no mercy upon thy hands, may they become crippled! My feet, which had not pity with thy feet, may they be crushed!' And I could not assuage my grief until I had said: 'May my whole body become covered with sores.'" Said the disciples to him: "Woe is unto us that we must see thee in this condition." And he replied: "Woe would be unto me if ye did not see me in this condition."

Why was he called Nahum the man of Gim-Zu?† Because whenever something happened to him he would say: "Gam Zu Le-Toboh" (This also is for good).

It once happened that the Israelites had to send a present to the imperial house, and Nahum was selected to carry out the mission, because it was quite usual for miracles to be performed

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* Here follow the questions put to and answered by Ilpha, which are, however, not essential in this tract, and which will appear in Tract Kethuboth.

† According to Zach. Frankel, in his work about the generations of the Tanaim and Amoraim, and also according to Dr. I. M. Wise, Dr. H. Strack, and Mieleiner, Nahum was a resident of Gimzo, a town in southwestern Judea.

on his account. They intrusted to him a casket containing precious stones and pearls. When he arrived at his quarters for the night, thieves became aware of his treasure, and they removed the valuables contained in the casket, substituting therefor dry earth. When he arrived at the imperial palace, the casket was opened, and it being observed that it contained nothing but earth, the emperor became very wroth and determined to destroy all the Jews, thinking that they had merely mocked him. Nahum, however, said to himself: "Even this will lead to good." When a conference was held as to the manner in which the Jews were to be destroyed, Elijah appeared disguised as one of the councillors, and after the conference said: "Perhaps this earth is of the greatest value, as it may be the same earth which Abraham their father had within his domain, and which possessed the merit of turning into swords which would cut down the enemy when thrown at a hostile army. The coarser pieces would turn into arrows when thrown at the enemy, as it is written [Isaiah, xli. 2]: 'He rendered as earth his sword, as driven stubble his bow.'" *

His advice was taken, and they said: "There is one land which we cannot conquer, let us try this earth and test its powers." This was done, and the land was conquered. The earth was thereupon deposited in the treasury, and the casket filled with precious stones and pearls. Nahum (who had been kept a prisoner in the meantime) was sent away with an escort and laden with great honors. On the return, it happened that Nahum and his escort had to pass the night in the same quarters where the precious stones had previously been stolen. When it was observed with what honors Nahum returned, he was asked what gifts he had brought the emperor, to be thus honored. He replied: "I brought the same casket there that I took away with me from this place." The men then, thinking that their earth was so valuable, tore down their houses, gathered up the earth, and sent it to the emperor, saying: "The earth which Nahum brought thee was our earth and not that of the Jews, for we took out the precious stones contained in his casket when he spent the night here and substituted this earth." The earth was examined and found to be unlike the other, so the senders were all put to death.

"*What is considered a pestilence? If in a city capable of fur-*

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* This is a literal and not a figurative translation of that verse.

*nishing five hundred able-bodied men,*" etc. The rabbis taught: A town that can furnish fifteen hundred able-bodied men—as, *e.g.*, the village of Ako—and nine deaths occurred in three days, *i.e.*, three deaths each on three consecutive days, is said to be afflicted with pestilence. If, however, all the nine died in one day or in four days, it is not considered a pestilence. A town that has not more than five hundred able-bodied persons—*e.g.*, the village of Amigo—and three deaths occurred in three days, *i.e.*, one on each consecutive day, can be said to be afflicted with a pestilence. If, however, all three died in one day or in four days, no pestilence can be said to exist (for it is considered as only an accident).

In the town of Darograth, which had five hundred able-bodied persons, three deaths occurred in one day, and R. Na'hman the son of R. Hisda ordered a fast-day. Said R. Na'hman bar Itz'hak to him: "Thou art presumably of the opinion of R. Meir, who regards a bull as vicious if he had gored three men in one day (as explained in Tract Baba Kamma)."

R. Na'hman bar Hisda requested R. Na'hman bar Itz'hak to remove to his (the former's) city (so that they could study together). Said the latter: We have learned in a Boraitha: R. Jose said: Not the place where he lives makes the man distinguished, but the man makes the place distinguished. And so we find with respect to Mount Sinai, that so long as the Shekhina rested there, cattle were not allowed to graze even near the mountain, as it is written [Exod. xxxiv. 3]: "Neither let flocks or herds feed near the mount," and after the Shekhina had withdrawn from the mount, it is written [Exod. xix. 13]: "They may come up to the mount." A similar instance can be found with respect to the Tabernacle, near which the leprous could not come (as well be explained in Tract Menachoth).

Said R. Na'hman bar Hisda to him: "If this be so, then will I go to the place where thou, Master, dwellest." And he answered: "Nay, that would not be right; for thou art a rabbi and a son of a rabbi, while I am the son of one who was not among the scholars; therefore it would be more fitting that I should come to thee."

It happened that pestilence raged in Sura, but in the neighborhood where Rabh resided the pestilence was not prevalent. The townsmen concluded that this was due to the especial merits of Rabh; but in a dream they were told that this would be but a small object wherewith to demonstrate Rabh's merits, and that

this was so in consideration of the merits of a man who lends his hoe and other digging-tools used for burials, without compensation.

In Darograth there was a great conflagration, but in the neighborhood where R. Huna lived the fire did not reach, and it was thought that it was on account of the merits of R. Huna that it was spared; but they were also told in a dream that this would be but a small recognition of R. Huna's merits, and that it was merely in consideration of a certain woman who would heat her oven and then place it at the disposal of such as desired to bake their bread, without remuneration.

R. Jehudah was apprised of the fact that locusts had made their appearance, and he ordered a fast-day. Subsequently he was told that the locusts were not doing any damage, and he replied: "Did the locusts then bring their food with them?"

R. Jehudah was also advised that a pest had broken out among the swine, and he ordered a fast-day. Does then R. Jehudah hold that if a pest break out among one kind of animals it affects all others? Nay; but with swine it is different, for the entrails of a swine are similar to those of a human being (and the pest may prove contagious).

Samuel was told that a pest had broken out in Huzai, so he ordered a fast-day. He was reminded, however, that the place was a great distance off, and he replied: "Is there then a partition between here and there that would prevent the entrance of the pest in this place?"

R. Na'hman was told that a pest had broken out in Palestine, so he ordered a fast-day, saying: "If the princess is stricken, surely the slaves are affected." Is it only when a princess is stricken that a slave is affected? What about slave and slave? Did not Samuel order a fast-day in Neherdai when Huzai was stricken? From Huzai to Neherdai there was a regular caravan traffic, and Samuel apprehended lest one of the caravans should carry the pest from Huzai into Neherdai.

Abba the (expert) bleeder received greetings every day from the heavenly college; Abayi received such a greeting only once every eve of Sabbath; and Rabha would receive such a greeting only once every eve of the Day of Atonement. Abayi was grieved because of the greater distinction conferred upon Abba, and he was told: "The things that Abba does, thou canst not do." [What did Abba do that was so inimitable? First of all, he had a separate place for bleeding men and a separate place for

women. Then he had a certain garment for women with which he would clothe them, and which was split so that he could insert the lancet at any place without looking at the woman. Then he had a certain place where his fee for bleeding was deposited, and which was so arranged that as soon as it was touched a ring was heard; but he never looked at the amount deposited, and those that had not the necessary amount would merely touch the place and depart. If a young scholar came to him to be bled, he would not alone refuse to accept money, but would give him money, saying: "Take this and become well, for after bleeding a good meal should be eaten."]

One day Abayi sent two of his disciples to Abba to examine into his actions. Abba entertained them with meat and drink, and even made for them couches of fine wool to use as beds. On the morrow the disciples folded up their woollen couches and carried them into the market in order to sell them. They there encountered Abba. Said they to him: "Let Master estimate the worth of these." And he said: "So much." And they rejoined: "Perhaps they are worth more." And he answered: "For so much money I can purchase them." Said they to him: "These couches are thine; we took them from thee." And they continued: "What didst thou suspect us of?" And he replied: "I thought that perhaps some prisoners had to be ransomed, and ye did not wish to tell me what amount that would require last night. So ye took the couches, and probably thought to tell me this day." They then said: "Then take them back; they are thine." But he answered: "Nay; I have already made up my mind to devote them to charitable purposes, and hence I cannot take them back."

Rabha was grieved over the greater distinction conferred upon Abayi, who was greeted on the eve of every Sabbath, while he only received the heavenly greeting on the eve of every Day of Atonement; so he was told that it was sufficient for him that the entire town where he lived profited by his merits.

To R. Beroka of Huzaah, Elijah would frequently appear, when he (R. Beroka) would be standing in the market of Be-Lepht. One day he asked Elijah whether there was any one in the market who would have a share in the world to come, and Elijah answered: "Nay." Suddenly Elijah perceived a man wearing black shoes, and the garments of that man had no show-threads. So he pointed him out to R. Beroka, and said: "That man will have a share in the world to come." R. Beroka ran up

to the man and asked him his occupation, and the man answered: "I have not time to-day. Come on the morrow." On the morrow R. Beroka again approached him and asked to know his occupation. The man replied: "I am a warden of a prison; I keep the men and women prisoners in separate compartments, and my own bed stands between the two compartments. There I sleep alone, and take care that no evil acts are perpetrated. If there is a daughter of Israel upon whom evil eyes have been cast (by the higher officials), I do my utmost, even at a personal sacrifice, to save her. One day it happened that a betrothed girl, upon whom the higher officials had cast an eye, was brought to my prison; so I took lees of wine, spread them over her couch, and said to the officials that she was suffering from her menstruation and could not be approached."

R. Beroka then asked the warden why he wore black shoes and garments without show-threads, and he replied: "In order that I should not be recognized as a Jew; for thus, if I hear of any plots that are formed against the welfare of my co-religionists, I can immediately advise the rabbis that they may pray to God to avert the impending calamity. And yesterday, when thou didst approach me, I told thee to come on the morrow, because I had heard a discussion pertaining to action to be taken against the Jews and I hastened to learn the true facts of the case."

Again it happened that two brothers were passing by, and Elijah said to R. Beroka: "These two brothers shall also have a share in the world to come." R. Beroka approached them and asked to know their occupations, and they replied: "Our occupation is to cheer and comfort all those who are downcast, and when we see two men quarrelling, to make peace between them."

"*An alarm should be sounded in all places for the following plagues*," etc. The rabbis taught: For a corn-blast, mildew, locusts, crickets, and attacks of wild beasts an alarm must be sounded wherever they make their appearance. And R. Aqiba said: "For the first two, as soon as they make their appearance ever so slightly in any place, an alarm must be sounded; but for locusts, as soon as the wing of one single locust is perceived in Palestine, an alarm must be immediately sounded."

"*Attacks of wild beasts*." The rabbis taught: "For attacks of wild beasts an alarm should be sounded only if it is obvious that the attacks are in the nature of a curse, but otherwise no alarm need be sounded. How can the distinction be made? If the wild beasts are seen in a city, then it is to be considered in

the nature of a curse; but if they are seen in the field, it is nothing unusual. If seen in the day it is a curse, at night it is not. If the wild beast saw and pursued two men together, then it is a curse; but if it slank away and sought to hide, it is not. If the wild beast killed two men and only devoured one, it is to be considered a curse; but if it devoured both (then it was simply hungry, and) it is not considered a curse. If the beast climbed up on a roof and snatched a child from the cradle, it is most assuredly a curse."

"*Hosts of armed men.*" The rabbis taught: Even if hosts of armed men are seen, who have no intention of attacking the place, but merely desire to pass through to make war upon others, an alarm must nevertheless be sounded; for there can be no more friendly intentions in a host of armed men than in that which was sent by Necho, King of Egypt, to Josiah, King of Judah, and still Josiah lost his life on their account, as it is written [II Chron. xxxv. 21]: "But he (Necho, King of Egypt) sent ambassadors to him (Josiah), saying: What have I to do with thee, thou King of Judah? I come not against thee this day, but against the house wherewith I have war, and God hath commanded me to make haste: forbear thee from meddling with God who is with me, that He may not destroy thee." What is meant by "God who is with me"? What God could Necho have had with him? Said R. Jehudah in the name of Rabh: "It was an idol, and for the reason that Necho had confidence in the idol, Josiah thought that he could surely vanquish him in battle."

Further it says [ibid. 23]: "And the archers shot at King Josiah; and the king said to his servants: Carry me away; for I am sorely wounded." What is meant by "sorely wounded"? Said R. Jehudah in the name of Rabh: "From that it may be inferred that his whole body was perforated by the arrows like a sieve." Before Josiah died, Jeremiah the prophet noticed that his lips were moving, and thinking that, God forbid, he was saying something blasphemous on account of the terrible pain he was suffering, Jeremiah stooped down and heard Josiah justifying the judgment which had befallen him, saying the passage [Lament. i. 18]: "Righteous is the Lord; for against his orders have I rebelled." Whereupon Jeremiah lamented his death with the words [ibid. iv. 20]: "The breath of our nostrils, the anointed of our Lord, was caught in their pits."

"*Should be sounded even on Sabbath.*" The rabbis taught:

On account of a city surrounded by foes, a ship that was wrecked at sea, or even on account of an individual pursued by foes, robbers, or evil spirits, a man may keep a fast-day himself (without waiting for the order instituting it). R. Jose, however, said: "A man is not allowed to do this by himself, lest he become weak through fasting and unable to work, when he would become dependent upon others who might have no pity for him, because he himself was the one responsible for his condition." Said R. Jehudah in the name of Rabh: "What reason has R. Jose for this assertion? Because it is written [Genesis, ii. 7]: 'And the man became a living being,' which implies, that man should let the living soul, given him by the Creator, live and not wilfully kill it."

"*Simeon the Temanite says*," etc. We have learned in a Boraitha: For a pest an alarm should be sounded on a Sabbath, and so much the more on a week-day; but R. Hanan bar Pitom, the disciple of R. Aqiba, said in the name of his Master that for a pest no alarm need be sounded even on a week-day.

"*On account of every plague*," etc. The rabbis taught: On account of every plague—with which may the community never be visited—an alarm should be sounded, except on account of an excess of rain. What is the reason? Said R. Johanan: "Because it is not permitted to pray for the cessation of too much good." Said Rami bar R. Jod: "In the land of exile (Babylon) an alarm should be sounded for an excess of rain." We have also learned in a Boraitha that in a year when there is an excess of rain the priests of the weekly watch would send word to the standing men: "Take care of your brethren in exile, that their houses may not become their graves."

The rabbis taught: It is written [Lev. xxvi. 4]: "Then will I give you rains in their due season," which means, that the earth shall not become too full of water nor that it shall be thirsty, but have just sufficient; for if there is too much rain, the earth becomes too sodden and fruit cannot grow. Another explanation of the term "in their due season" is, that the rains will fall on the night of the fourth day of the week and on the night of Sabbath, when men do not go out; for so do we find, that in the days of Simeon ben Sheta'h rain fell only on those nights, and grain prospered so that wheat-grains became as testicles, barley-corns as the kernels of olives, and lentils as golden Dinars; and part of these fruits of the earth were preserved to show to future generations, in order to demonstrate to them that the only reason

why crops were not as prosperous as they formerly were was because of the transgressions of the people, as it is written [Jeremiah, v. 25]: "Your iniquities have turned away these things, and your sins have withholden what is good from you."

So it was also at the time when Herod built the new Temple. It would rain only at night, and in the morning the wind would disperse the clouds, the sun would commence to shine, and the people would go to their work in peace, so that all men knew that they were engaged in a heavenly undertaking.

"*It once happened that Honi Hama'gel*," etc. The rabbis taught: It once happened the greater part of the month of Adar had passed, and no rain had yet fallen. Honi Hama'gel was thereupon requested to pray for rain. He prayed, but no rain descended. So he marked out a circle around him, the same as Habakkuk did, as it is written [Habakkuk, ii. 1]: "Upon my watch will I stand, and place myself upon the tower," placed himself in the midst of it, and said: "Creator of the universe! Thy children have always looked up towards me as being like a son of Thy house before Thee. I swear therefore, by Thy great Name, that I shall not move from this place until Thou shalt have compassion upon Thy children." Whereupon the rain commenced to drop down gently. Said the disciples to him: "May it be that we may see thee and not die; for we think that the rain is merely dropping in order to release thee from thy vow." And he replied: "It was not for this I prayed, but for rain sufficient to fill the wells, cisterns, and caves." The rain then fell in torrents, each drop being as large as the mouth of a barrel, and the sages opined that each drop contained no less than a lug of water. The disciples again said to him: "Rabbi, may we see thee and not die! We believe that the rain is falling in order to destroy the world." He again said: "Not for such rains have I prayed; but for mild, felicitous, and liberal showers." The rain then descended in the usual manner, until the Israelites of Jerusalem were obliged to seek refuge from the city to the Temple mount on account of the rain. They then came to him and said: "Rabbi, even as thou didst pray that the rain might descend, thus pray now that it may cease." And he replied: "I have a tradition that it is not permitted to pray for a cessation of too much good. Still, bring me a praise-offering." It was accordingly brought to him, and putting both hands upon it, he said: "Creator of the universe! Thy people which Thou hast brought out of Egypt cannot be sustained either with too much evil or too

much good. When Thou becamest angry with them, they could no longer bear it; and now that Thou hast showered too much good (rain) upon them, they cannot bear it either. Let it be Thy will that the rains may cease and the world become happy." Thereupon a wind came up, dispersed the clouds, the sun commenced to shine, and the people went out into the fields and brought back mushrooms.

Simeon ben Sheta'h then sent him word, saying: If thou wert not Honi, I would order that thou be anathematized; for were these years as those when Elijah said that no rain should fall and when he had the key to the rain, thou wouldst have merely desecrated the Holy Name; but what shall I do with thee, since thou art petulant towards God, and yet He forgiveth and indulgeth thee like a petted child who is petulant towards its father, and says: "Father, bathe me in hot water, bathe me in cold water, give me nuts, almonds, apricots, and pomegranates," and is nevertheless forgiven and indulged? To thee may be applied the passage [Prov. xxiii. 25]: "Let thy father and thy mother rejoice, and let her that hath born thee be glad."

The rabbis taught: What was the word which the Sanhedrin sitting in the chamber of marble sent to Honi Hama'gel after the occurrence? They cited the passage [Job, xxii. 28]: "And if thou decree a thing, it will be fulfilled unto thee; and upon thy ways the light will shine," and said: "Thou hast decreed below, and the Holy One, blessed be He, ratified it above, and the generation which was in darkness thou hast enlightened with thy prayer."

R. Johanan said: All the days of this righteous man (Honi), he troubled himself concerning the meaning of the passage [Psalms, cxxvi. 1]: "When the Lord bringeth back again the captivity of Zion, then shall we be like dreamers." Honi would constantly say: "How can a man sleep or be like a dreamer for seventy years?" Once he was travelling on the road, and he noticed a man planting a carob-tree. He asked him how many years it would take before the tree would bear fruit, and the man answered: "Seventy years." Honi then asked: "Art thou, then, sure that thou wilt live seventy years?" And the man replied: "I found carob-trees in existence when I came into the world, consequently my ancestors must have planted them. Why should I not also plant them for my children?" About that time Honi became hungry, and sat down to eat near the newly

planted tree. After the meal he fell asleep, and a bay * formed about him so that he could not be noticed, and thus he slept for seventy years. When he awoke, he observed a man gathering the fruit from the carob-tree; and he asked the man: "Didst thou plant this tree?" The man replied: "Nay; I am the grandson of the man that planted it." Honi then realized that he must have slept for seventy years, and when he looked around for his ass, he noticed that there were many smaller asses. He then went to his home, and inquired whether the son of Honi Hama'gel was still alive. He was told that the son was no longer living, but that a son of the son was alive. He then said: "I am Honi Hama'gel"; but they would not believe him. He went to the house of learning and heard them say: "To-day the Halakhoth are as clear as in the days of Honi Hama'gel, who would immediately render a clear decision when any questions whatever were put to him by the rabbis." He went in and said to them: "I am that Honi"; but they would not believe him, nor would they accord him due respect. This caused him to become downcast and despondent, and he prayed to God that he might die, and so he died. Said Rabha: "This illustrates the saying: 'Give me the glory due me, or give me death.'"

Abba Helkyah was a grandson of Honi Hama'gel. When the country was in need of rain the rabbis would send to him, and he would pray for rain, which thereupon commenced to fall. One day the country was in need of rain, and the rabbis sent a committee of two younger rabbis to him, with the request that he pray for rain. They came to his house, but did not find him. They went to his field, and found him weeding it. They greeted him, but he made no reply. On his way back to his home, he placed some wood and the hoe on one shoulder and a garment on the other shoulder. The entire way he did not wear shoes, but whenever he came to water which he had to ford he would put them on. When he came to a thorny path, he would raise his garments. When he came to the city, his wife met him dressed in fine apparel. When he reached his house, his wife entered first, then he, and finally the two young rabbis entered. He sat down to his meal, but extended no invitation to the rabbis to join him. When dealing out bread to his children, he gave the elder one loaf and the younger two. Afterwards he

* The Hebrew term is "Meshunitha." Rashi explains it to mean a rock, while the dictionaries define it as given in our text.

said to his wife in a low voice: "I know that these rabbis came on account of rain. Come, let us go up into the attic and pray for rain, and should the Lord have mercy on His children and cause it to rain, it will not appear as if it came about through us." They went up into the attic, and he stood in one corner, while she stood in another. The rain-cloud appeared in the direction where the wife was standing.

When he went down again, he said to the rabbis: "What hath brought the rabbis here?" And they replied: "The rabbis have sent us to Master that he may pray for rain." And he answered: "Blessed be the Lord, that ye no longer need Abba Helkyah's favor." Said they to him: "We well know that this rain is come only on account of Master, still we should like to know the reason for several actions on his part which appear to us surprising. Why, when we greeted the Master, did he not turn his face towards us?" He replied: "I hired myself out for the day and my time was not my own, hence I did not wish to waste any." "Why did the Master carry the wood on one shoulder and the garment on the other?" "Because the garment was borrowed by me to wear, but not to use as a pad for wood." "Why did the Master go barefooted all the way, and put on his shoes when coming to water?" "Because the entire way I could see what I was stepping on, but in water I could not." "Why did the Master raise his dress when walking in a thorny path?" "Because if my flesh should receive a scratch, it will heal; but if the garment should become torn it cannot be mended." "Why, when the Master came to the city, did his wife come forth to meet him, dressed in her best apparel?" "In order that I may not look at any other woman." "Why did she enter first, then the Master, and then we?" "Because I know nothing about you." "Why, when the Master sat down to eat, did he not invite us to partake also?" "Because there was not sufficient bread for all, and I did not wish to invite you merely to receive your thanks in vain." "Why did the Master give the elder child one loaf and the younger two?" "Because the elder was at home all day and probably helped himself previously, but the younger was at school all day and more hungry." "Why did the rain-cloud appear first in thy wife's corner?" "Because my wife is always at home, and when a poor man begs for a meal she always gives it to him readily, while I can but give him a Zuz and he must first go and purchase food for it. Thus her charity is more effective than mine."

Hanan the Hidden was a son of the daughter of Honi Hama'-gel. When the country was in need of rain, the rabbis would send the school-children to him, who would surround him, take hold of his garments, and cry: "Father, father, give us rain!" And he would say to the Holy One, blessed be He: "Creator of the universe! Cause rain to descend, for the sake of those who cannot distinguish between a father capable of giving rain and one who is not." Why was he called Hanan the Hidden? Because whenever he would do some good, he would hide himself so as not to be observed.

Said R. Z'reiqa to R. Saphra: "Come and see the difference between the pious of Babylon and the righteous of Palestine. The pious of Babylon—*e.g.*, R. Huna and R. Hisda—when the country was in need of rain, would say: "Let us combine and pray to God, perhaps we shall find favor in His eyes, and He will give us rain"; and the righteous of Palestine—*e.g.*, R. Jonah the father of R. Mani—when the country was needing rain, would go to his house, ask for a sack, and say: "I will go to the market and buy a Zuz' worth of grain." When going out he would seek a deep place, as it is written [Psalms, cxxx. 1]: "Out of the depths have I called to thee, O Lord," and he would station himself in a hidden place, cover himself with the sack, and offer up a prayer for rain to the Lord, and forthwith rain would descend. When returning home, he would be asked: "Didst thou buy the grain for a Zuz?" And he would reply: "I noticed that it commenced to rain, and hence thought it unnecessary to go to the market for it, as it can be had now anywhere."

Again it happened that R. Mani the son of Jonah was sorely troubled by the members of the house of the Nassi (prince); so he went and threw himself on his father's grave, exclaiming: "Father, father, the men of the house of the Nassi are troubling me." One day the retainers of the Nassi were riding by the burial ground where Jonah was interred, and their horses could not proceed until they vowed not to trouble R. Mani any more.

R. Mani would frequently come to the house of R. Itz'hak ben Aliashib, and he once told R. Itz'hak that the members of his father-in-law's family were giving him much trouble. Said R. Itz'hak: "May they become poor!" and they really did become poor. R. Mani then came again, and complained that now his relatives were poor they were compelling him to support them. Said R. Itz'hak: "May they then become rich again!" and accordingly they became rich.

At another time R. Mani complained to R. Itz'hak that his wife was too ill-favored. Said R. Itz'hak: "What is her name?" And R. Mani replied: "Hannah." Said R. Itz'hak: "May Hannah become handsome!" and accordingly she became handsome. Subsequently R. Mani came again, and complained that now his wife had become handsome she made life a burden to him by her vanity, and R. Itz'hak said: "May Hannah again become ugly!" and Hannah again became ugly.

Some time later, two disciples of R. Itz'hak ben Aliashib begged him to pray to the Lord for them, that they might become wiser and more capable for study. Said he to them: "I used to do that at one time and would succeed; but I have stopped that practice and shall not do it again."

Elazar the man of Birtha would be shunned by the men who were sent out to collect money for charitable purposes, because he would give away everything he had. One day he went out into the market to buy the articles necessary for the proper celebration of his daughter's marriage. The collectors of alms perceived him, and hid themselves. He, however, pursued and overtook them, and said: "I adjure you, tell me for what purpose ye are sent out now and what ye need." And they answered: "We are collecting money for two orphans who are about to be married." Said he: "I vow they have precedence over my daughter." And he gave them everything he had, with the exception of one Zuz, for which he bought some wheat and deposited it in his storehouse. The mother (Elazar's wife) said to the daughter: "What did your father bring?" And the daughter replied: "All that he brought he deposited in the storehouse." She then went to the storehouse, but could not open the door, as the wheat was piled up so high and the storehouse was so full that the wheat forced its way through the cracks in the walls. Thereupon she betook herself to the house of learning, where Elazar her husband was studying, and calling him out, said: "Come and see what thy friend did for thee." Arriving at the storehouse, Elazar said: "I vow that all this wheat is devoted to the poor, and thou hast but a share in it equal to the other poor."

R. Jehudah Hanassi (the Second) once ordered a fast-day and prayed for rain, but without success. Said he: "What a difference there is between Samuel the prophet and Jehudah the son of Gamaliel! Woe is to the generation that has retrograded to such an extent and woe to the Nassi (prince) who hath witnessed

it." He became very despondent, and forthwith rain began to fall.

A fast-day was ordered from the house of the Nassi, and no previous notice thereof was given to R. Johanan and Resh Lakish. Said R. Johanan to Resh Lakish: "What shall we do? We did not take it upon ourselves to fast to-day or yesterday? Replied Resh Lakish: "We are dependent upon the Nassi; hence it is not necessary for us to take it upon ourselves a day in advance."

Again it happened that the house of the Nassi ordered a fast-day; but no rain descended. So Oshiya, the youngest of the colleagues, taught: It is written [Numb. xv. 24]: "Then shall it be, if through inadvertence of the congregation it was committed by ignorance," which is a simile to a bride in the house of her father—if she have beautiful eyes, there is no need of examining her body, but if her eyes be bad her entire body should be examined (*i.e.*, if the prince of the congregation be a righteous man, the congregation need not be tried, but if he be wicked the congregation itself must be examined). So the servants of the Nassi came to Oshiya, threw a cloth over his neck, and tortured him. Said the townsfolk to the servants: "Let him be, for though he often offends us with his sayings, still, as we see that he means well and does so for our good, we let him have his own way."

Rabbi once ordered a fast-day, but no rain descended. So Ilpha, others say R. Ilphi, went up to the reading-desk to pray. As soon as he came to the sentence, "He causeth the wind to blow," a wind sprang up; and when he said, "He causeth the rain to descend," rain began to fall. So Rabbi asked Ilpha: "What are thy merits?" And he answered: "I live in a very small town, where it is almost impossible to obtain any wine for the Kiddush and the Habdalah on the Sabbath; but I go to great trouble to procure it and distribute among my townsmen, and when reciting the Kiddush prayer I also include my townsmen in the prayer."

Rabh came to a certain place and ordered a fast-day, but no rain descended. The minister of the congregation went up to the reading-desk and commenced to pray. Arriving at the sentence, "He causeth the wind to blow," a wind sprang up; and as soon as he said, "He causeth the rain to descend," rain began to fall. Said Rabh to him: "What are thy merits?" And he answered: "I teach little children, and treat the children of the

poor like the children of the rich. Those that cannot afford to pay, I teach without remuneration; and being also a fisherman, I persuade those who do not wish to come and learn, to do so by giving them fish to take home with them."

R. Na'hman ordered a communal fast. He prayed for rain, which, however, did not come. And he said to the people: "Take ye Na'hman and throw him from the roof to the ground." He became downcast, and rain commenced to fall. Rabba ordered a fast, he prayed, and no rain came. And they said to him: "But when R. Jehudah orders a fast, then rain comes." He replied: "What can I do? In point of learning we are better than they; for in the years of R. Jehudah all their studies were confined to the Section of Damages, while we study now all the six sections. And when R. Jehudah came to the Section of Taharath (Purification), Tract Uqtsin, and the Halakha, 'When a woman put herbs in a pot,' or, according to others, to the Halakha, 'If olives were soaked with their leaves, they are clean,'* R. Jehudah used to say: 'I find it as deep as would befit the times of Rabh and Samuel.' But we have thirteen colleges which are studying the Tract Uqtsin, and nevertheless when R. Jehudah would put off one shoe, the rain would come; and we are crying the whole day, and there is nobody to look at us. And if one might say, R. Jehudah was better than we by his deeds, then if there is any one here that knows we have not acted rightly, let him say so; but the true reason is, what can the leaders of the generation do, when the generation itself is not good?"

R. Jehudah saw once two men throwing bread at each other, and he said: "I see from this that there is plenty in the world." He cast an evil eye, and a famine began. Said the rabbis to R. Kahna the son of R. Nahuniah: "We have heard that the Master frequents the house of R. Jehudah: cause him to go into the market (he should become aware that a famine reigns)." He did so, and took him out into the market. He saw a crowd of men. He asked: "What is the matter?" He was answered: "There is a measure of dates for sale, and each is eager to obtain it." Said he: "I perceive from this that there is famine in the world." He said to his servant: "Take off my shoes." He had taken off but one of his shoes, when it began to rain.

R. Mari the son of the daughter of Samuel said: "At that time, when R. Jehudah had his shoes taken off, I stood on the

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* This will be explained in its place in Tract Uqtsin.

bank of the River Papa. I saw angels clad like sailors, who took sand, filled the ships therewith, and it was turned to fine flour, and the whole world came to buy it. I said to the persons of my household: 'Do not buy of it, for it is only through a miracle, and I wish to derive no benefit from miracles.' I waited till the morrow, when ships laden with wheat actually arrived from Parzina."

It happened once that Rabha came to the city of Hagrunia, and he ordered a fast, but no rain came. Said he to the people: "Fast over night." On the morrow morning he said to them: "If any one saw something in a dream, he should come to tell what he saw in the dream." R. Elazar of the same city related that he had been told in a dream the following words: "Good peace to the good master who received his knowledge from a good master, and who with his goodness is doing good to his people." Said Rabha: "I infer from this that it is a favorable time." He prayed again, and rain came.

It happened once that a man had committed a crime for which he had to receive stripes in a court where Rabha was the chief judge. Rabha had the penalty inflicted on him. He could not endure it, and died. When the government of Sabbor the king heard of this, they wanted to cause trouble to Rabha. Said Iphra Harmyz, the king Sabbor's mother, to her son: "I advise you to have nothing to do with the Jews, for all that they request of their God, He grants to them." Said he: "What, for example?" Said she: "Whenever they pray to God for rain, it rains." Said he to them: "That is only because they pray in the season when it has to rain. Now, when it is Tamuz [July], when it ought not to rain, let them pray for rain, and you shall see that it will not come." So she sent for Rabha, and said to him: "Fix your mind on it, and pray to God to send rain." He prayed, and no rain came. Said he: "Before the Lord of the universe [Ps. xliv. 2] God, with our ears have we heard, our fathers have told us . . . in times of old, but *we* with our eyes do *not* see it." Then it rained so much that all the canals of Me'huza overflowed and the water spread in the streets into the River Tigris. His father appeared to him in a dream and told him: "Is there any other man who gives so many pains to Heaven? Go and change the place of your couch." On the morrow he found marks of a knife with which his bed had been slashed.

R. Papa also ordered a fast: no rain came. Meanwhile he

felt too weak from fasting. He took a spoonful of *daitha* [a kind of dish], and went on praying. Still, however, no rain came. R. Na'hman, his fellow-lodger in the inn,* said to him: "If the Master would partake of another spoon of *daitha*, then rain would surely come" (ironically). He felt shame, he became downcast, and rain came. (See Yomah, p. 76: "R. Hanina b. Dosa," etc.)

Said R. Jehudah in the name of Rabh: "Every day a heavenly Voice goes forth and says: 'The whole world is nourished merely by the merits of Hanina my son, and for Hanina alone one Kabh of carobs is sufficient from one Sabbath-eve to the other.'"

The wife of Hanina would make a fire in her oven on the eve of every Sabbath in order not to be ashamed before her neighbors. She had, however, one bad neighbor who said: "I know that Hanina and his wife have nothing to cook for the Sabbath, why does she make fire in her oven? I shall go and see." She went and knocked at the threshold, and Hanina's wife became ashamed and went into another room. In the meantime a miracle happened, and the oven became filled with bread. The neighbor, noticing the bread in the oven, called to Hanina's wife: "Bring the bread-shovel, or the bread will be burned!" And she replied: "I just went in for that purpose." We have learned in a Boraitha: Hanina's wife really did go into the next room for a shovel, because she was accustomed to have miracles happen to her.

One day the wife of R. Hanina said to him: "How long shall we yet be troubled with the want of our daily bread?" And he replied: "What can I do?" Said she: "Pray to God that He should give thee something." He accordingly went and prayed. A hand came forth and gave him a leg of a golden table. Subsequently his wife saw in a dream that all the righteous in heaven ate on golden tables having three legs, while her table only had two. Said she to Hanina: "Wouldst thou then like it, that all should eat at a table having three legs, while we should eat at one only having two? Pray to God that the golden leg may be taken back." He prayed, and the leg was taken back. We have learned in a Boraitha that this latter miracle was even greater than the former; for we have a tradition, that it is usual for heaven to bestow but not to take back.

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* According to the Aruch the text should read, "Bar-Ushpirti," *i.e.*, the son of Ushpirti, who was the mother of R. Papa, and he said to him thus: "You, son of Ushpirti," etc.

One eve of Sabbath Hanina noticed his daughter in a despondent mood. Upon asking her what the trouble was, she replied: "I got the two vessels containing oil and vinegar mixed, and poured the latter into the Sabbath lamp and lit it." Said he: "My daughter! why should that trouble thee? He who hath ordained that oil should burn can also ordain that vinegar should burn." We have learned in a Boraitha that the vinegar in that lamp burned all night and all day, till some of it was used for the Habdalah prayer.

R. Hanina ben Dosa had a few goats, and he was told that his goats caused damage to others. Said he: "If my goats do damage, may wolves devour them; but if they do not, may they each bring a bear impaled upon their horns." That same evening, each goat really brought in a bear mounted on its horns.

How did Hanina happen to have goats? Was he not a poor man? Said R. Pinchas: "It once happened that a man left a few chickens at the house of Hanina, and the latter said to his wife: 'Do not use the eggs, for the chickens do not belong to us.'" Accordingly the eggs were left untouched, and in the course of time quite a number of chickens were produced, so that they became too troublesome, and Hanina sold them and with the proceeds purchased goats. Subsequently the man who left the chickens returned to claim them. He was asked for a description of his property, which he gave correctly, whereupon Hanina turned over the goats to him, and these are the goats that brought bears upon their horns.*

The same Hanina had a neighbor who was building a house, and the beams were too short. So she came to him, and said: "I have built my house, but my beams do not reach far enough." And he asked her her name. And she answered: "Aikho." He then said: "Aikho, may thy beams become longer." We have learned in a Boraitha that they really became so long that they protruded an ell on each side, while others say that pieces were conjoined with the beams so that they attained the required length. We have learned in another Boraitha: "Plimo said: 'I saw that house and noticed that the beams protruded an ell on each side. And I was told that the house was the one for which Hanina prayed to have the beams become longer.'"

R. Hama bar Hanina ordered a fast-day, but no rain de-

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* According to Hananel and other commentaries the whole paragraph was inserted here from other sources than the Gemara. In the Ain Jacob this is not to be found.

scended, and he was told: "Why, R. Jehoshua ben Levi would order a fast-day, and rain would commence to fall!" Said he: "That was the son of Levi, and not I!" And they said: "We meant to say, that we should again congregate, and perhaps, if we prove contrite of heart, the rain will descend." They did so, and still no rain descended. Said he to them: "Think ye that ye deserve rain to descend for you?" And they answered: "Yea." Said he to the sky: "Cover thy countenance." No results, however, were produced, and he exclaimed: "How impudent are the skies!" Whereupon they became covered, and rain commenced to fall.

Levi ordered a fast-day, but no rain descended. Said he: "Creator of the universe! Thou didst ascend to the heavens, and didst sit down, but hast no compassion upon thy children." Whereupon rain descended, but Levi fell and became lame.

R. Hyya bar Lolaini heard one cloud say to another: "Come, let us go and deposit our waters in the lands of Ammon and Moab." Said R. Hyya: "Creator of the universe! when thou gavest Thy Law to Israel, Thou hadst gone to other nations, offering it to them, and they would not accept it; and now Thou wouldst allow the clouds to pour forth their waters on their lands!" and turning to the clouds, he exclaimed: "Pour forth your waters on this spot," and they did so.

The same R. Hyya preached: "It is written [Psalms, xcii. 13]: 'The righteous shall spring up like the palm-tree; like a cedar in Lebanon shall he grow high.' Why are both the palm-tree and the cedar mentioned? If the palm-tree only were mentioned, I would say that as a branch of the palm-tree which is broken off does not grow out again, so it will be with the righteous—if he dies, he will leave no one in his stead; therefore a cedar is also mentioned, for with a cedar it is not so. And if a cedar only were mentioned, I might say that as the cedar does not bear fruit, so will it also be with the righteous (which may God forbid). Hence the palm-tree is also mentioned."

The rabbis taught: It once happened that R. Eliezer ordered thirteen fast-days, but no rain descended. When the congregation dispersed after the thirteenth fast-day, he asked them if they had already ordered their graves, and they commenced to weep aloud, whereupon rain commenced to fall.

Another time it happened that R. Eliezer recited the twenty-four benedictions at prayer, but he was not answered. R. Aqiba followed him at the reading-desk, and said: "Father and

King! we have no other king but Thee. Only for Thy sake have mercy upon us!" And his prayer was answered. The people then began to murmur (and say that R. Aqiba was a greater man than R. Eliezer). A heavenly Voice went forth and said: "Not because R. Aqiba is a greater man than R. Eliezer was his prayer answered, but because he always gives in to another, while R. Eliezer never did that."

The rabbis taught: How much rain should fall in order that the congregation may stop fasting? When the rain fills up a furrow made with a plough. So said R. Meir, but the sages say: If the water is a span deep on dry land, two spans on moist earth, and three spans on ploughed soil.

"*If while the people are fasting rain should fall before sunrise.*" The rabbis taught: "If while the people are fasting rain should fall before sunrise they may stop fasting, but if after sunrise they must not. Such is the dictum of R. Meir. But R. Jehudah said: If it fell before noon they may stop fasting, but if after noon they should not. R. Jose, however, said: They may stop if rain fell before the end of the ninth hour (3 P. M.), but not if it fell after that hour. And so we find in the case of Achab, King of Israel, who fasted from the ninth hour on, and further, as it is written [I Kings, xxii. 29]: "Hast thou seen how Achab hath humbled himself before me?" (It is explained elsewhere that kings used to eat their meal at the ninth hour.)

R. Jehudah Nesseah (the Second) ordered a fast-day, and rain commenced to fall after sunrise. He thereupon desired to stop fasting, but R. Ami said to him: "We have learned that if rain falls before noon or after noon there is a difference of opinion, but after sunrise all agree that fasting may be stopped."

Samuel the Little ordered a fast-day, and rain descended before sunrise. The people wanted to infer therefrom that it was in praise of the congregation; for as soon as a fast was ordered, rain commenced to fall. Said Samuel to them: "This can be compared to a case of where a slave begs for something of his master, and the master says: 'Give it to him! I do not care even to hear his voice.'"

Again it happened that the same Samuel ordered a fast-day, and rain fell after sunset. Then said the people: "Surely this is in praise of the congregation that after fasting and praying rain came." Said he to them again: "Nay, this is not to be considered; for it can be compared to a slave begging of his master, who says: 'Let him pray and trouble himself for some time be-

fore I will give it to him.' " What, then, does Samuel consider as praise for the congregation? If when the sentence is read, " He causeth the wind to blow," a wind springs up, and when the sentence, " He causeth the rain to descend," is read, rain commences to fall.

"*In the evening they returned and sang the great Hallel.*" Why should they return in the evening and say the Hallel? Let them say it beforehand? Abayi and Rabha both say: " Hallel is not sung except with a satisfied soul and a well-filled stomach." This is not so! For did it not happen that R. Papa ordered a fast-day in the synagogue of Abi Gober, and rain descended before noon, when they sang the Hallel, and then ate and drank? With the inhabitants of Me'huza it is different, for they are generally drunkards.

## CHAPTER IV.

REGULATIONS CONCERNING THE PRIESTS' BLESSING OF THE PEOPLE, THE INSTITUTION OF THE STANDING MEN—THEIR FASTS AND PRAYERS. THE FAST OF THE SEVENTEENTH DAY OF TAMUZ AND THE NINTH OF ABH, AND THE CELEBRATION OF THE FIFTEENTH DAY OF ABH.

MISHNA: At three periods of the year the priests shall raise their hands (to bless the people) at each prayer, (*i.e.*) four times on each day; viz., during the morning, additional, afternoon, and closing prayer. (The three periods mentioned are:) On the fast-days, on the fast of the standing men, and on the Day of Atonement.

(The reason for the institution of) these standing men is because it is written [Numb. xxviii. 2]: "Command the children of Israel, and say unto them: My offering, my bread for my sacrifices . . . shall ye observe," etc. How can an offering be brought for a person without his being present (at the time when it is sacrificed)? Therefore did the elder prophets institute twenty-four watches (divisions): each watch always had a section of standing men, composed of priests, Levites, and Israelites, stationed at Jerusalem. When the turn of each watch came around to go up (from their cities to the Temple), the priests and Levites went up to Jerusalem, and the Israelites who belonged to that watch assembled in (the synagogues of) their cities to read the history of the creation (*i.e.*, the first chapter of Genesis).

The standing men used to fast four times in the week; viz., from Monday until Thursday (inclusive), but they did not fast on Friday, on account of the honor due the Sabbath, nor on Sunday, that they might not (too suddenly) pass over from rest and pleasure to weariness and fasting—for that might endanger their lives. On Sunday the standing men read (the sections commencing): "In the beginning," etc. [Genesis, i. 1 to 5], and, "Let there be an expansion," etc. [ibid. 6, etc.]; on Monday they read: "Let there be an expansion," and, "Let the waters," etc. [ibid. 9, etc.]; on Tuesday: "Let the waters," and, "Let there be

lights," etc. [ibid. 14, etc.]; on Wednesday: "Let there be lights," and, "Let the waters bring forth," etc. [ibid. 20, etc.]; on Thursday: "Let the waters bring forth," and, "Let the earth bring forth," etc. [ibid. 24, etc.]; on Friday: "Let the earth bring forth," and, "Thus were finished," etc. [ibid. ii. 1 to 4]. The long section of the day was read by two persons and the short by one; this was done, however, during the morning and additional prayers; but at the afternoon prayers they entered (the Synagogue) and recited the sections mentioned by heart, even as the Shema' is recited. On Friday afternoon they did not go to the synagogue at all, in honor of the Sabbath.

On the days on which the Hallel was sung, the standing men would not attend during the morning prayer (in Jerusalem). When there was an additional offering, they did not assemble at the time of the closing prayer. When a wood-offering was brought, they did not assemble during the afternoon prayer. Such is the dictum of R. Aqiba; but Ben Azai said to him: "R. Jehoshua taught as follows: 'When there was an additional offering, the standing men did not assemble during the afternoon prayer; and when a wood-offering was brought, they did not assemble at the time of the closing prayer.'" Thereupon R. Aqiba changed (his opinion) and taught like Ben Azai.

The times when the delivery of wood (for the altar) was made by priests and people were on nine appointed days: viz., on the 1st day of Nissan, the family of Arah ben Jehudah (made the delivery); on the 20th of Tamuz, the family of David ben Jehudah; on the 5th of Abh, the family of Par'os ben Jehudah; on the 7th of that month, the family of Jonadab ben Rekhab; on the 10th of the same month, the family of Sinaha ben Benjamin; on the 15th of that month, the family of Zathoo ben Jehudah, and with them priests and Levites, and all those who did not know from which tribe they were descended—also the family of Gonebe Eli and the family of Kotze'li Ketzi'oth; and on the 20th, the family of Pa'hath Moab ben Jehudah; on the 20th of Elul, the family of Adin ben Jehudah; and on the 1st of Tebeth, the family of Par'os for the second time.

There was no meeting of the standing men on the 1st of Tebeth; because Hallel was sung and additional sacrifice and wood-offering were brought on that day.

Five calamities happened to our ancestors on the 17th of Tamuz, and five on the 9th of Abh: viz., on the 17th of Tamuz the tables of the Holy Law were broken; on that day the

continual daily offerings ceased, and the city of Jerusalem was stormed; on the same date Apostamos burned the Holy Scrolls and placed an idol in the Temple;—on the 9th of Abh it was decreed that our ancestors should not enter the Holy Land; on that day the first and second Temples were destroyed, the city of Bethar was taken, and the site (of Jerusalem) was ploughed up (like a field). From the 1st of Abh it is incumbent upon a person to lessen his participation in joyful events (until after the 9th of that month).

During the week in which the 9th of Abh occurs, it is prohibited to a person to shave himself, or to wash (his clothes), but on Thursday this is allowed in honor of the Sabbath. On the day before the 9th of Abh a person should not partake of two different kinds of dishes of meat, nor may he drink any wine. Rabbon Simeon ben Gamaliel says: "He should change" (his ordinary mode of living). R. Jehudah considers it obligatory for a person to turn over the bed places,* but the sages do not coincide with him.

Rabbon Simeon ben Gamaliel said: Never were there any more joyous festivals in Israel than the 15th of Abh and the Day of Atonement, for on them the maidens of Jerusalem used to go out dressed in white garments—borrowed ones, however, in order not to cause shame to those who had none of their own. These clothes were also to be previously immersed, and thus the maidens went out and danced in the vineyards, saying: Young men, look and observe well whom you are about to choose (as a spouse); regard not beauty alone, but rather look to a virtuous family, for "false is grace, and vain is beauty: a woman only that feareth the Lord shall indeed be praised" [Proverbs, xxxi. 30]; and it is also said [ibid. 31]: "Give her of the fruit of her hands, and let her own works praise her in her gates." Thus also is it written (alluding to that custom): "Go forth and look, O ye daughters of Zion, on King Solomon, with the crown wherewith his mother hath crowned him on the day of his espousals, and on the day of the joy of his heart" [Solomon's Song, iii. 11]. "The day of the espousals" refers to the day on which the Law was given, and "the day of the joy of his heart" was that when the building of the Temple was completed. May it soon be rebuilt in our days!

* It was the general custom among the Israelites of that day to turn over the couches on which they sate during the day, and slept during the night, on any occasion of mourning and also as a sign of their being in actual mourning.

GEMARA: "*At three periods of the year*," etc. Is there then an additional prayer on fast-days and for the standing men? The Mishna is not complete, and should read thus: "At three periods of the year the priests shall raise their hands (to bless the people) at each prayer, and among such periods there are days when this is done four times during the day: viz., during the morning, the additional, the afternoon, and the closing prayers; and the three periods of the year are on fast-days, on the fast of the standing men, and on the Day of Atonement." Said R. Na'hman in the name of Rabba bar Abbahu: "Such is the dictum of R. Meir. But the sages maintain that during the morning and additional prayers the priests raise their hands; but not during the afternoon and closing prayers." Whose opinion is that attributed to the sages? That is the opinion of R. Jehudah, as we have learned in the following Boraitha: "In all the four prayers mentioned above, the priests are to raise their hands. This is the dictum of R. Meir, but R. Jehudah said that this is not done in the afternoon and closing prayers, while R. Jose maintains that it is not done in the afternoon prayer, but it *is* done in the closing prayer." Said R. Na'hman: "The Halakha prevails according to the opinion of R. Jose." And so it remains.

Why is it, then, the custom at present that the priests raise their hands in the afternoon prayer of a fast-day? Because the afternoon prayer is said very near to the time of sunset, it is regarded the same as the closing prayer.

"*These standing men*," etc. How is the Mishna to be understood? The Mishna means to say: "These are the standing men, and the reason of their institution is because it is written," etc.

The rabbis taught: "There are twenty-four watches in the Land of Israel, and of these there are twelve in Jericho. When the watches were to go up to the Temple, half went up from all parts of the Land of Israel to Jerusalem, and the other half from Jericho." Why were half of them in Jericho? Because they had to prepare food and drink for their brethren in Jerusalem.

R. Jehudah said in the name of Samuel: Priests, Levites, and Israelites that compose the division of the standing men prevent, in the event of their absence, the offering of the sacrifices. In a Boraitha we have learned: R. Simeon ben Elazar said: "The priests, Levites, and the musical instruments prevent, by their absence, the offering of the sacrifices," because he

holds that the chanting at the offering of the sacrifices must be accomplished mainly through the musical instruments, and not vocally.

R. Hama bar Guria said in the name of Rabh: Moses established for the Israelites only eight watches; viz., four for the descendants of Elazar the priest and four for those of Ithamar. Subsequently Samuel the prophet increased the number to sixteen, and finally David further increased them to twenty-four, as it is written [I Chronicles, vi. 26]: "In the fortieth year of David were they inquired into, and there were found among them mighty men of valor at Ya'zer and Gil'ad."

The rabbis taught: "Four watches went up out of exile, and they are: Yida'yah, Harim, Pash'hor, and Imar. And the prophets who went with them increased them to twenty-four." How was this done? They threw lots into an urn, and Yida'yah came and drew lots for himself and companions to the number of six. Then came Harim, and drew lots for himself and for his companions to the number of six. Likewise did Pash'hor, and thus also Imar; and the prophets also enacted that, even should Jehoyoreb, the chief of the watches, come up out of exile, he should not displace Yid'ayah, but Yid'ayah should be first, and Jehoyoreb act merely as an additional (to Yid'ayah).

The rabbis taught: The men of the watch would pray that the sacrifices of their brethren should be favorably accepted; and the standing men would congregate in the synagogues and fast four fast-days; viz., from Monday until Thursday, inclusive. On the first fast-day they would fast for those who plied the seas; on the second, for those who traverse the desert; the third, that the children might be saved from the disease of croup; and the last day, for pregnant women and for those suckling their babes—that the former might be happily delivered and the latter retain their strength. On the day preceding the Sabbath they would not fast, in honor of the Sabbath, and most assuredly not on the Sabbath itself. Why did they not fast on Sunday? Said R. Samuel ben Na'hmeni: "Because that is the third day (after man was created)"; and Resh Lakish said: "Because of the second soul that is given to man on the Sabbath, and which leaves him at the close of the Sabbath day" (hence he would be too weak to fast on the following day).

"*On Sunday the standing men read, 'In the beginning,'*" etc. We have learned in a Boraitha: The first section, *i.e.*, from the

passage commencing, "In the beginning," until that commencing, "Let there be an expansion," was read by two men, while the second section, commencing, "Let there be an expansion," until, "Let the waters," etc., was read by one man only.

"*The long section of the day was read by two persons,*" etc. We have learned in a Boraitha: During the morning and additional prayers they would enter into the synagogues and read the sections from the Scrolls as usual; but during the afternoon prayer one man would recite the section by heart. Said R. Jose: "May, then, an individual recite a section of the Scriptures by heart in the presence of the entire congregation?" "Therefore," said he, "the entire congregation went in and recited the section by heart, just as they do the Shema' prayer."

"*On the days on which the Hallel was sung, the standing men would not attend,*" etc. What is the difference? (*i.e.*, why, when a wood-offering was brought, was the closing prayer omitted and the afternoon prayer retained?). Because the closing prayer was a rabbinical institution, while the afternoon prayer was a biblical ordinance.

"*The times when the delivery of wood was made by priests and people.*" The rabbis taught: Why did the Mishna have to mention both the times when the priests and when the people made the delivery of wood? Because it was said that when the children of Israel returned from exile they found no wood in the wood-chamber, and the priests contributed the wood of their own accord. In consideration of this fact, the prophets at that time made the enactment that even when the wood-chamber was filled with wood, the priests be allowed to furnish wood of their own accord (and from their own means), as it is written [Nehemiah, x. 35]: "And we—the priests, the Levites, and the people—cast lots concerning the procuring of the wood, to bring it into the house of our God, unto the house of our fathers, at fixed times, year by year, to burn upon the altar of the Lord our God, as it is written in the Law."

"*And with them priests and Levites,*" etc. The rabbis taught: Who were those Gonebe Eli and Kotze Ketzi'oth? It was said that at one time the government decreed that the Israelites should not bring any wood for the altar, nor the firstfruit-offerings to Jerusalem, and guards were appointed to watch the wagons in the same manner as Jeroboam ben Nebat appointed guards to prevent the Israelites from going to Jerusalem for the festivals. What did the pious and those who were

afraid of transgressing do? They would place a basket containing the firstfruits at the bottom of the wagon, and cover it with dried fruits. In addition to that they would carry a pestle, and when stopped by the guards would tell them that they were on their way to a place where they desired to pound the fruit; and after having safely passed the guards, they would ornament the basket containing the firstfruits and bring it into the Temple. And we have learned in a Boraitha, in addition to this, that the Gonebe Eli and the Kotze Ketzi'oth are the same who are called elsewhere the family of Salmai Hanthophathai. Who were the Salmai Hanthophathai? The rabbis taught that when it was decreed that no wood should be brought for the altar they would construct ladders, which they would carry past the guards appointed to watch for any men who would violate the decree, and when stopped would claim that they were about to take down some doves from their dovecots. Having safely eluded the guards and arrived at the Temple, they would take the ladders apart and carry in the wood for the altar.* To these men and those emulating their example the passage may be applied [Proverbs, x. 7]: "The memory of the just is to be blessed."

"*On the 20th, the family Pa'hath Moab ben Jehudah,*" etc. In a Boraitha we have learned: By "the family Pa'hath Moab ben Jehudah" is meant the family of David ben Jehudah (meaning David the King of the tribe of Judah). Such is the opinion of R. Meir; but R. Jose said that they were of the children of Joab ben Tzeruyah.

"*On the 20th of Elul, the family of Adin ben Jehudah,*" etc. The rabbis taught: By "the family of Adin ben Jehudah" is meant the family of David ben Jehudah. Such is the opinion of R. Jehudah; but R. Jose said that they were of the children of Joab ben Tzeruyah.

"*There was no meeting of the standing men on the 1st of Tebeth.*" Said Rabha: The Hallel which is sung on the feast of new moon is not based upon a biblical ordinance, because R. Johanan said in the name of R. Simeon ben Jehozadok: "Eighteen times during the year an individual may recite the

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* The names Gonebe Eli, Kotze Ketzi'oth, and Salmai Hanthophathai were not in reality proper names, but signified the following: Gonebe Eli means those who stole the pestle; Ketzi'oth means dry figs or cinnamon, from the Arabic cassia; and Salmai is derived from the word Sulam, a ladder. The connection is easily established, as alluding to the means employed by those pious men safely to elude the guards appointed to watch for the firstfruits and the wood for the altar.

whole Hallel, and they are: On the eight days of the Feast of Tabernacles, on the eight days of the Feast of Dedication (Hanukah), on the first day of the Passover, and on the day of Pentecost. While in exile, however, one may recite it twenty-one times during the year, namely: On the nine days of the festival of Tabernacles, on the eight days of Hanukah, on the first two days of Passover, and on the two days of Pentecost."

Rabh happened to be in Babylon (*i.e.*, before he removed there permanently) and he saw the people reading the Hallel on the first day of the month. He first intended to interrupt them, but seeing that they read only portions of it, he said : I understand they follow the customs of their ancestors, and it does not matter. In a Boraitha we have learned that an individual shall not start, but if he had already started he may conclude it.

"*Five calamities happened to our ancestors*," etc. Whence do we know that on the 17th day of Tamuz the tables of the Holy Law were broken ? Because we have learned in a Boraitha as follows: On the sixth day of Sivan the ten commandments were given, and on the seventh day Moses ascended unto heaven. R. Jose says: "On the seventh day the ten commandments were given." All agree, however, that on the seventh day of Sivan Moses ascended unto heaven, because it is written [Exodus, xxiv. 16]: "And he called unto Moses on the seventh day out of the midst of the cloud"; and further, it is said [ibid. 18]: "And Moses went into the midst of the cloud, and ascended the mount; and Moses was on the mount forty days and forty nights." Thus Moses was there twenty-four days in Sivan and sixteen days in Tamuz, and on the 17th he descended and broke the tables, as it is written [ibid. xxxii. 19]: "And it came to pass, when he (Moses) came nigh unto the camp, and he saw the calf and the dancing, that the anger of Moses waxed hot, and he cast from his hands the tables, and broke them at the foot of the mount."

That the continual daily offerings ceased on the 17th of Tamuz is traditional; and the statement that the city was stormed on that day refers to the second destruction. That the other two calamities occurred on that day is also traditional.

"*On the 9th of Abh it was decreed*," etc. Whence do we know that ? From the following Boraitha: We have learned that on the twenty-ninth day of Sivan Moses sent out the spies, as it is written [Numb. xiii. 25]: "And they returned from spying out the land at the end of forty days," and those forty

days (included the day of their return, that is) were in reality forty less one, and Abayi said that in that year the month of Tamuz was a full month of thirty days, as it is written [Lam. i. 15]: "He hath called an assembly against me to crush my young men." *

Further, it is written [Numb. xiv. 1]: "And all the congregation lifted up their voice, and cried aloud, and the people wept that night." Said Rabba in the name of R. Johanan: "That night was the eve preceding the ninth of Abh, and the Holy One, blessed be He, said: 'Ye have cried on this night in vain, and I shall ordain it that your generations shall lament on this day forever.'"

"*On that day the first and second Temples were destroyed.*" It is written [II Kings, xxv. 8]: "And in the fifth month, on the seventh day of the month," etc., and [Jeremiah, lii. 12]: "And in the fifth month, on the tenth day of the month." It cannot be said that on the seventh day the calamity occurred, because it is also written "on the tenth." Neither can it be said that it happened "on the tenth," because it says "on the seventh"—hence it must be assumed that entrance to the Temple was gained by the enemy on the seventh, and they ate and did damage therein on the seventh, on the eighth, and on the ninth. Toward the evening of the ninth they set it on fire, and it continued to burn all day on the tenth, as it is written [ibid. vi. 4]: "Wo unto us! for the day waneth, for the shadows of the evening are stretched out." And this bears out the statement of R. Johanan, who said as follows: "Were I living in those days, I would have ordained the fast for the 10th of Abh; for on that day the greater part of the temple was burned." The sages of that day, however, held that the day when the calamity began should be observed as a fast-day.

Whence do we know that the second Temple was also destroyed on the 9th of Abh? We have learned in a Boraitha: "A happy event is credited to the day on which another happy event happened, while a calamity is ascribed to the day when another calamity occurred; and it was said that when the first Temple was destroyed it was on the eve preceding the 9th of Abh, which was also the night at the close of the Sabbath and also the close of the Sabbatical year. The watch at the time

* How it is inferred from the passage is not understood by us, nor explained by any commentary.

was that of Jehoyoreb, and the Levites were chanting in their proper places, at that moment reciting the passage [Psalms, xciv. 23]: "And he will bring back upon them their own injustice, and in their own wickedness will he destroy them"; and they did not have time to end the passage, which concludes, "yea, he will destroy them—the Lord our God," before the enemy entered and took possession of the Temple. This happened also at the destruction of the second Temple.

That the city of Bethar was taken on the 9th of Abh is traditional.

"*And the site was ploughed up like a field.*" We have learned in a Boraitha: When Torosnopos the Wicked destroyed the Temple, a decree was promulgated that Rabbon Gamaliel (the First) should be executed. A certain master came into the house of learning, and said that the man of the nose * was being looked for (*i.e.*, the most prominent member of the community). R. Gamaliel understood that he was meant thereby, and hid himself. The same master surreptitiously came to the place where R. Gamaliel was concealed and asked him if, should he (the master) be instrumental in saving his (R. Gamaliel's) life, he would assure him a share in the world to come, and R. Gamaliel answered that he would. The master then demanded that he swear to it, and R. Gamaliel swore. Thereupon the master ascended to an attic, threw himself down, and died. The tradition goes on to say that if one of the signers of a death-warrant or any other unfavorable decree died, the decree became null and void. Thus was Rabbon Gamaliel saved. A heavenly Voice then came forth, and declared that the master would have a share in the world to come.

The rabbis taught: When the first Temple was destroyed, groups of young priests, who had the keys of the Temple, went up to the roof and said: "Creator of the Universe! it being that we were not destined to live and be trustworthy keepers of thy treasure, we herewith return the keys." With that they threw the keys up into the air, and something like a hand was seen to come forth and grasp them, whereupon the priests immediately threw themselves down into the fire beneath. They were mourned by Isaiah the prophet in the verses [Isaiah, xxii. 1 and

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* The expression in the original is 'Hotam, meaning *nose*; but Abraham Krochmal asserts that 'Hotam should read 'Hotham, meaning a *seal*, and thus the passage would read "the man of the seal," *i.e.*, the prince of the community.

2]: " The doom of the valley of vision. What aileth thee now, that thou art wholly gone up to the roofs? O noiseful, tumultuous city, joyous town! thy slain ones are not slain with the sword, and not those that die in battle."

" *From the 1st of Abh it is incumbent upon a person to lessen his participation in joyful events.*" Said R. Jehudah, the son of R. Samuel bar Shilath, in the name of Rabh: " As from the 1st of Abh participation in joyful events must be lessened, so, as soon as the month of Adar enters, joyous festivities should be increased."

" *During the week in which the 9th of Abh occurs,*" etc. Said R. Na'hman: " The washing of clothes is prohibited only when they are washed for the purpose of immediate wear, but it is allowed to wash clothes and put them away for future wear." R. Shesheth, however, said that even washing for future wear is also not allowed, and the proof is that the laundresses of Rabh would stop work on that entire week. It was taught also that R. Benjamin said in the name of R. Elazar: " Washing for immediate wear is prohibited during that week, but for future wear it is permitted."

An objection was raised: We have learned: " It is not allowed to wash clothes before the 9th of Abh, even if they be intended for use after the 9th. In those days the washing of the clothes was similar to our laundrying, and as for linen garments the prohibition is not effective (only for silk garments)?" The objection remains.

R. Itz'hak bar Giuri in the name of R. Johanan sent word, saying: " Although the prohibition against washing does not apply to linen garments, still it is not allowed to put on such garments during the week in which the 9th of Abh occurs." Said Rabh: " This applies only to the days preceding the 9th of Abh, but not to those succeeding it," while Samuel said that even on the days following the 9th of Abh it is also not allowed.

This constitutes a difference of opinion among Tanaim, as we learn in the following Boraitha: " If the ninth day of Abh falls on a Sabbath, or even if the eighth falls on a Sabbath, one may eat and drink whatever he chooses, and may place on his table even such viands as were eaten by Solomon while he was yet king. He must not shave or wash (his clothes) from the day of the new moon until after the fast of the 9th of Abh. Such is the dictum of R. Meir. R. Jehudah, however, says that it is

not allowed to do this the entire month of Abh; but R. Simeon ben Gamaliel maintains that the prohibition applies only to the week in which the 9th of Abh occurs."

In another Boraitha we have learned: "A man should be in a state of mourning from the first day of Abh until after the fast-day. Such is the dictum of R. Meir. R. Jehudah, however, says that during the entire month one is not allowed to do things prohibited for a mourner; but R. Simeon ben Gamaliel maintains that one must be in such a state only during the week in which the 9th of Abh occurs." (Hence the difference of opinion between Rabh and Samuel arises from the fact that Rabh holds with R. Meir, while Samuel holds with the other Tanaim.)

Said R. Johanan: "All the three Tanaim of the Boraitha quoted derived their teachings from the following passage [Hosea, ii. 13]: 'And I will cause to cease all her mirth, her festival, her new moon, and her Sabbath,' etc. The Tana who teaches that one should be in a state of mourning from the 1st of Abh on, derives his teaching from the word 'festival' in the passage, because the 1st, being New Moon, is a festival. The Tana who applies his teaching to the whole month derives it from the words 'new moon,' and infers that it means the entire month; and the Tana who applies his teaching only to the week in which the 9th of Abh occurs, derives it from the word 'Sabbath,' and infers that it means the week of that Sabbath."

Said Rabha: "The Halakha prevails according to R. Meir," and on another occasion he said: "It prevails according to R. Simeon ben Gamaliel"; and by both statements he meant to render the more lenient construction of the ordinance. Thus it was necessary to make both statements. For had he said that the Halakha prevails only according to R. Meir, the state of mourning would extend for the nine days from the 1st to the 9th of Abh inclusive; and had he said that the Halakha prevails only according to R. Simeon ben Gamaliel, the state of mourning would extend over the days following the 9th of Abh in the same week. By citing both decrees, however, the ordinance is made more lenient, in that the state of mourning commences only with the first day of the week in which the 9th occurs and ends with the 9th itself.

"*On the day before the 9th of Abh a person should not partake of two dishes.*" Said R. Jehudah: "This applies only to the time from the sixth hour on (12 M.), but previous to that time

it may be done." And again he said: This applies only to the concluding meal, but during the other meals he may eat what he chooses, and both statements are intended for the more lenient construction of the ordinance (*i.e.*, if one eats his last meal before noon, or if he eats a meal after noon but intends to eat again before the fast commences, he may in either case eat as many dishes as he chooses). We have learned in a Boraitha: On the eve of the 9th of Abh one must not eat two dishes, nor eat meat nor drink wine. R. Simeon b. Gamaliel, however, said: "He shall make a change." Said R. Jehudah: "What is meant by making a change? *E.g.*, if he usually eats two dishes, he shall now eat one; if he usually eats in the company of ten men, he shall now eat in the company of five; if his custom is to drink ten cups of wine, he shall now drink five. But all this applies to the time from the sixth hour on; but previously to the sixth hour, everything is permitted." In another Boraitha we have learned: On the eve of the 9th of Abh one should not eat two dishes, nor eat meat, nor drink wine. So is the decree of R. Meir. The sages, however, said: "He shall make a change, and shall use less meat and wine. How so? If his custom had been to eat a *littre* of meat, he shall now eat one-half of it; if his custom had been to drink a *lug* of wine, he shall now drink one-half of a *lug;* but if his custom had been to drink no wine at all, he must not drink it at all—even a drop." R. Simeon b. Gamaliel said: "If his custom had been to eat radishes or something salt, after his meal, he may continue to do it." In yet another Boraitha we have learned: "In case of the concluding meal before the 9th of Abh he must not eat meat, neither drink wine, nor wash himself; but if this meal is not the concluding meal, he may eat meat and drink wine, but must not wash." R. Ishmael, the son of R. Jose, however, said in the name of his father: "As long as it is allowed to eat meat, it is allowed to wash one's self also."

The rabbis taught: All ordinances applicable to a mourner are effective for all (Israelites) on the 9th of Abh; viz., one must not eat, drink, anoint himself, wear shoes, or have sexual intercourse. The Pentateuch, the Prophets, and the Hagiographa must not be read. The Mishna, Gemara, and Midrash must not be studied, nor Halakhoth or Haggadoth discussed; but something which one has not previously read he may read, and may study something which he had never before studied. The school-children must not learn on that day, because it is written

[Psalms, xix. 9]: "The precepts of the Lord are upright, rejoicing the heart." R. Jehudah, however, says that one must not even read something new to him nor study anything which is new to him; but all agree that one may read Job, Lamentations, and the evil prophecies of Jeremiah, and the school-children must be idle on that day.

"*Nor drink any wine.*" We have learned in a Boraitha: One may eat salt meat and drink wine still in a state of fermentation (on the day before the 9th). How long must the meat lie in salt in order to be classed as salt meat which may be eaten? Said R. Hinana bar Kahana in the name of Samuel: As long as the time during which a peace-offering may be eaten; *i.e.*, if meat lie in salt two days and one night it is not yet salt meat, but if it lie longer it may be eaten on that day. The prohibition concerning drinking wine that has been standing uncovered does not apply to wine in a state of fermentation, and how long is wine in such a state? Three days.

R. Jehudah said in the name of Rabh: "Such was the custom of R. Jehudah bar R. Ilayi: On the night preceding the 9th of Abh, dry bread with salt and a jug of water were brought to him; he would sit behind the oven and eat the bread and drink the water, and his manner was the same as if the dead body of a near relative were lying before him." In a Boraitha we have learned: To him who eats meat and drinks wine on the 9th of Abh is applied the passage [Ezekiel, xxxii. 27]: "And their iniquities were upon their bones."

"*But the sages do not coincide with him.*" Said Rabha: "The Halakha prevails according to the sages."

"*On the 15th of Abh and on the Day of Atonement,*" etc. It is right that the Day of Atonement should be a day of rejoicing, because that is a day of forgiveness, and on that day the second tables of the Law were given to Moses; but why should the 15th of Abh be a day of rejoicing? Said R. Jehudah in the name of Samuel: "On that day it was permitted to the members of the different tribes to intermarry." Whence is this deduced? Because it is written [Numb. xxxvi. 6]: "This is the thing which the Lord hath commanded concerning the daughters of Zelophehad," etc., they claim that "this is the thing" implies that only for that generation was it decreed, but for later generations the decree does not apply.

R. Joseph in the name of R. Na'hman said: On that day the members of the tribe of Benjamin were permitted to intermarry

with the other tribes, as it is written [Judges, xxi. 1]: "Now the men of Israel had sworn in Mizpah, saying: Not any one of us shall give his daughter unto Benjamin for wife." Whence was it deduced that subsequently permission might be given to intermarry with the tribe of Benjamin? Because the quoted passage says "Any one of us," and Rabh said that their descendants were not included in the vow.

Rabba bar bar Hana said in the name of R. Johanan: On that day the last of those who were destined to die in the desert died, and the destiny was thus fulfilled; for the Master said that so long as the destiny was still unfulfilled, the Lord did not speak to Moses for his particular sake, as it is written [Deut. ii. 16 and 17]: "So it came to pass, when all the men of war were spent by dying from the midst of the people, that the Lord spoke unto me, saying"; and "unto me" signifies that the Lord spoke unto Moses in particular.

Ula said: "On that day the guards appointed by Jeroboam to prevent the Israelites from coming to Jerusalem were abolished by Hoshea the son of Elah, and he said: 'Let them go wherever they choose.'"

R. Mathnah said: "On that day permission was given to bury the dead who were killed in battle at the city of Bethar." And R. Mathnah said again: "On that day, when it was permitted to bury those killed at Bethar, the assembly at Yamnia ordained the benediction reading: 'Blessed art thou, God the good, that doth good.' What is meant thereby? By 'good' is meant that the bodies were not left to putrefy, and by 'doth good' that burial was permitted."

Rabba and R. Joseph both said: On that day they ceased to cut wood for the altar, as we have learned in a Boraitha: R. Eliezer the Great said: "From the fifteenth day of Abh the heat of the sun was lessened and the timber was no longer dry, so they ceased to cut wood for the altar." [Said R. Menasseh: "That day was called the day on which the saws were broken"], and from that day on, he who adds the night to his time for study may have years and days added to his life.

"*In white garments—borrowed ones*," etc. The rabbis taught: The king's daughter borrowed from the daughter of the high-priest; the daughter of the latter would borrow from the daughter of the Segan (assistant); the Segan's daughter would borrow from the daughter of the priest who was anointed for the war [see Deut. xx. 2]; and she in turn would borrow

from the daughter of an ordinary priest. The daughters of the ordinary Israelites would borrow one from the other, in order not to put to shame those who had none of their own.

"*These clothes were also to be immersed.*" Said R. Eliezer: "Even if the clothes were folded and laid in a chest, they must also be immersed."

"*The maidens went out and danced,*" etc. We have learned in a Boraitha: Those that had no wives would go there to procure a spouse.

"*Saying: 'Young men, look and observe,'*" etc. The rabbis taught: The pretty ones among the maidens would say: "Regard but beauty alone, because a woman is made only for beauty." Those among them who were of good family would say: "Rather look to a good family," for women are but made to bear children (and those of good family produce good children). The ill-favored ones among them would say: "Make your selections only for the glory of Heaven, but provide liberally for us."

Said Ula Biraah in the name of R. Elazar: "In the future the Holy One, blessed be He, will make a ring of the righteous, and He will sit among them in the garden of Eden, and they everyone will point to Him with their fingers, as it is written [Isaiah, xxv. 9]: 'And men will say on that day, Lo, this is our God, for whom we have waited that He would help us: this is the Lord, for whom we have waited; we will be glad and we will rejoice in His salvation.'"

END OF TRACT TAANITH.

# TRACT MEGILLA (BOOK OF ESTHER).

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# TRACT MEGILLA.

## CHAPTER I.

REGULATIONS CONCERNING THE TIME WHEN THE BOOK OF ESTHER MUST BE READ ON THE RABBINICAL FEAST OF PURIM IN OPEN TOWNS AND WALLED CITIES, ETC.

MISHNA: The Megilla is read sometimes on the 11th, 12th, 13th, 14th, or on the 15th of the month Adar, neither earlier nor later. Cities which, from the time of Joshua the son of Nun, were surrounded with walls, read it on the 15th. Villages and large open towns should read it on the 14th, and inhabitants of villages may read it in advance on the day of assembly.* How is this to be understood? When the 14th fell on Monday, inhabitants of villages and of large open towns used to read it on that day, and those of walled cities on the day following. When it fell on Tuesday or Wednesday, the inhabitants of villages used to read it in advance (the preceding Monday) on the day of assembly, those of large open towns on that day (the 14th), and those of walled towns on the morrow. When it fell on Thursday, inhabitants of villages and large open towns used to read it on that day, and of walled towns on the following day. If it fell on the eve of Sabbath, inhabitants of villages read it in advance on the preceding or day of assembly, and those of large open towns and of walled towns on that day (14th). When it fell on Sabbath, inhabitants of villages and large open towns read it in advance on the preceding Thursday, the day of assembly; and of walled towns on the morrow (the Sunday). When it fell on Sunday, in villages they read it on the preceding day of assembly (Thursday), and in large open towns on that day (14th), and in walled cities on the morrow.

* In the time of the Mishna the tribunals of justice kept the courts open on Mondays or Thursdays for the sake of the men who came to the markets, which were usually on these days. The reading of the Holy Scrolls in the synagogues was also on these days, and therefore they were called "days of assembly."

GEMARA: The Megilla was read on the 11th day. Whence do we deduce this? Whence do we deduce this! (Is this, then, a biblical commandment, which you want to deduce from the passages of the Bible? This is only rabbinical), and as it will be explained further on, the sages made it easier for the inhabitants of villages, who usually came to the towns on Mondays and Thursdays, that they should read then the Book of Esther, and should have time to provide their brethren of the towns with water and with food? We meant to say so: let us see. The reading of the Megilla the men of the Great Assembly have ordained. Now, at the first glance, if the men of the Great Assembly had ordained it should be on the 14th and 15th, have then the sages the power to abolish the ordinances of the Great Assembly? Have we not learned in a Mishna that a Beth Din is not able to abolish the ordinances of its colleagues unless they are greater than they in wisdom and in members? Therefore we must say that all the mentioned days were ordained by the Great Assembly. Where, then, is the hint in the Bible for it? Said R. Shamen bar Abba in the name of R. Johanan: It is written [Esther, ix. 31]: "To confirm these days of Purim in their times." In their *times:* this signifies that many times are to be ordained. But if so, say even the 16th and 17th? Nay, it is written [ibid. 27]: "So that no one should trespass it." That means, it must never be after the appointed time. R. Samuel bar Na'hmani, however, said: It is written [ibid. 22]: "like those days whereon the Jews had rest from their enemies." And those "days" are plural, meaning two; "like the days" means to add also the 11th and the 12th. But perhaps it is the 12th and the 13th? Said R. Samuel bar Itz'hak: The 13th day was the time when all Israel in all places were assembled to take revenge on their enemies, and it is certain that such a day must not be added from the verse, because this day was the day of the main miracle; and therefore if you add something, it can be only the 11th and the 12th. But again, perhaps it is the 16th and 17th? That is already explained by the verse: "He shall not trespass." Said Rabba bar bar Hanah in the name of R. Johanan: This is only according to R. Aqiba, according to whom are many anonymous Mishnas; but the sages say that in our time, (when the messengers are no longer sent) and the people look to the reading of the Megilla as to a sign of the coming feast-day (of Passover), therefore it must be read only in its main time (14th). And so we have learned also in a Boraitha:

R. Jehudah said: The old ordinance was only when the years were fixed (by the court in Palestine), and Israel dwelt on its own land; but in our time, when they look to make the feast only when the Megilla is read, it must be read only in its time. Did R. Jehudah say so? Did not we learn in another Boraitha that *R. Jehudah* said that the ordinance was only in those places where the people from the villages came to the towns on Mondays and Thursdays; but in the places where they do not come, it must be read only in its main time? From this we see that where they come, even in our time, they can read it not in its appointed time, and this contradicts his teaching above. This contradiction was made by R. Ashi, and he answered it: That one Boraitha is not according to R. Jehudah, but according to R. Jose his son.

"*Cities which, from the time of Joshua b. Nun,*" etc. How do we deduce this from the Book of Esther? Said Rabba: It is written [ibid. ix. 19]: "Therefore do the Jews of the villages that dwell in the unwalled towns," etc. Now, when the inhabitants of the unwalled towns read on the 14th, it is self-evident that the inhabitants of the walled towns read on the 15th. But perhaps the inhabitants of unwalled towns read on the 14th, but of walled towns do not read at all? Do not read at all! Are they not Israelites? And furthermore, it is written [ibid. 30]: "And he sent letters unto all the Jews, to the hundred and twenty-seven provinces of the kingdom of Ahasuerus," * and that means all Israel? But perhaps it means the inhabitants of open towns should read on the 14th only, and those of walled towns should read on both the 14th and 15th, as it is written [ibid. 21]: "To take it on themselves as a duty that they should celebrate the fourteenth day of the month Adar, and the fifteenth day of the same, in each and every year." If it would read, "the fourteenth *and* the fifteenth," it would be right as you said; but when it is written, "the fourteenth day," separately, and "the fifteenth," separately, that means that the inhabitants of open towns should celebrate on the fourteenth, and those of walled towns on the fifteenth. But this is only about the celebration, which means the eating and the drinking; but the reading of the Megilla, which is only a memorial, whence do we deduce that this is also different? It is written [ibid. 28]:

* The text says it is written "from India to Ethiopia" and refers to verse 9, chap. viii., but as there it is written not about the Book of Esther, we have cited the other verse.

"And these days are remembered *and* celebrated." And we compare the celebration to the remembering; as the celebration is different, so is the remembering.

But what is the reason of the Tana of our Mishna, who says "walled towns from the time of Joshua b. Nun"? He makes an analogy of expression: it is written here, "therefore the Jews of the unwalled towns"; and it is written [Deut. iii. 5], "besides the unwalled towns." As thereby unwalled towns are meant those from the time of Joshua, so also is it meant here.

Our Mishna will not be in accordance with R. Joshua b. Kor'ha of the following Boraitha: R. Joshua b. Kor'ha said: The inhabitants of towns surrounded with walls from the times of Ahasuerus should read on the 15th. What is his reason? It shall be as in Shushan? As in Shushan they read on the 15th, so all towns surrounded with a wall shall read on the 15th. But the inhabitants of Shushan itself act according to whom? It is certainly not in accordance with the sages, because it was not surrounded with a wall in the time of Joshua b. Nun? Said Rabha, and according to others Kdi: The case with Shushan is different, for there was the miracle, and they feasted on the 15th. R. Joshua b. Levi said: A large city, and its neighborhood, and all the places around that can be seen with it, must be considered like the large city itself. But how much distance is meant? Said R. Jeremiah, according to others R. Hyya bar Abba, as the distance from Hamtn to Tiberia, which was a mile. The same says again: The double letters in the Hebrew alphabet—Mem, Nun, Zadik, Pe, Kaph—the prophets have added. Is this possible? Is it not written [Lev. xxvii. 34]: "*These* are the commandments"; from which we infer *these* are the commandments, and no prophet has the power to make new ones from that time? And furthermore, did not R. Hisda say that the Mem (when it is the last letter of the word) and Samekh (which is round), which were chased through the tables of Moses, were held in only by a miracle? This is so, but it was not before known which letter must be in the middle of the word and which at the end; and the prophets ordained that the open one should be at the middle and the closed one final.* But even that much had they then the right to do? Therefore we must say that it was forgotten and the prophets only restored them. The same

* The open one, *e.g.*, ם; the closed one, as ם. So also with the other letters.

authority says again: The Targum (translation) of the Pentateuch was made by Unkelas the Proselyte under the supervision of R. Eliezer and R. Joshua; the Targum of the Prophets—by Jonathan b. Uziel under the supervision of the three prophets Haggai, Zechariah, and Malachi. Then the ground of Palestine trembled (as if shaken by an earthquake) four hundred Parsaoth square, and a heavenly voice was heard: Who are these who have revealed My Mystery to man? Then Jonathan b. Uziel arose and said: "I am the one who hath revealed Thy Mystery to man, but it is known unto Thee that not to my honor, nor in honor of the house of my father I did this, but for Thy glory, to prevent controversies in Israel." He intended to do the same with the Hagiographa, when a heavenly voice was heard: "Refrain from doing this." Why so? Because in the Hagiographa the time of Messiah's arrival would be known if it should be translated (and this must be hidden).

Why at the translation of the Pentateuch did not the ground tremble, and at the translation of the Prophets it trembled? Because the Pentateuch is almost all explained; but in the Prophets there are many things not explained at all. As it is written [Zechariah, xii. 11]: "On that day will the lamentation be great in Jerusalem, like the lamentation at Hadad-rimman in the valley of Megiddon." And R. Joseph said, but for the translation of this verse, I would not know at all what it means. The translation is: "On this day will the mourning in Jerusalem be as it was over Ahab b. Amri, that was killed by Hadad-rimman b. Tabrimon in the city of Ramoth Gilead, and as they mourned over Joshia b. Aman, who was killed by Pharaoh Necho (the lame one) in the valley of Megiddon."

It is written [Dan. x. 7]: "And I, Daniel, saw alone this appearance, but the men that were with me did not see the appearance; nevertheless a great terror fell upon them, so that they fled to hide themselves." Who were these men? Said R. Jeremiah, according to others R. Hyya b. Abba: They were Haggai, Zechariah, and Malachi. They were better than he, because they were prophets, and he, Daniel, was not a prophet. And he was better than they because he saw it, and they did not see it. But if they did not see, why fell a terror upon them? Although they did not see literally, they saw it clairvoyantly. Said Rabbina: From this we may infer that whoso is terrified, although he does not himself see, he sees clairvoyantly.

We have learned in a Boraitha: The priests during their ser-

vice, Levites from their balcony, and the Israelites standing around, all must leave their places to go and hear the reading of the Book of Esther. And so also said R. Jehudah in the name of Rabh. This the houses of learning took as their support when they stopped the learning of the Law, and went to hear the reading of the Megilla. They draw an *à fortiori* conclusion from the Temple service: as the Temple service, which was very vigorous, they stopped for the sake of the Megilla, the learning of the Law so much the more. But did not R. Samuel bar Unia say that the learning of the Law is greater than the daily sacrifices? It presents no difficulty; the learning of an individual is not greater than Temple service, but the learning of a congregation together is greater.

Rabha said: It is certain to me that of the Temple service and the reading of the Megilla the latter has the preference, as it is said above. Between the studying of the Law and the reading of the Megilla the latter has the preference, as did the houses of learning. Between the studying of the Law and the burying of a dead man who has no friends the latter has the preference. Between the Temple service and the burying of a dead man the latter has the preference. But what is doubtful to me is, if a man has to read the Megilla and to bury a man who has no friends, which has the preference? Shall we assume the Megilla has the preference, because it proclaims the miracle; or the burying has preference, for the honor of man? After he had considered, he himself decided that the burying has preference, as the Master said (Sabbath, p. 85): Great is the honor of man, which supersedes even a negative commandment of the Torah. The text says: R. Joshua b. Levi said that "a large city and its neighborhood," etc., are considered as the city itself. We have learned in a Boraitha, in addition to this: If it is in the neighborhood, even if it cannot be seen from a distance together with the city; and when it can be seen with the city, although it is not near the city. (This is explained, when the city is in a valley or on a mountain.)

R. Joshua b. Levi says again: A city where the inhabitants had resided before, and later it was surrounded with a wall, must be considered as a village. Why so? Because it is written [Lev. xxv. 29]: "And if a man sell a dwelling-house in a walled city." Whence we may infer that the city was walled before he dwelt in it, but not if he had dwelt in it and afterward it was walled. He says again: A city where there are not ten

unemployed men * who devote all their time to the study of the Law must be considered as a village. What does he come to teach us? Did we not learn this in the following Mishna: What is called a great city? If there are ten unemployed men and less than this it is a village? His teaching is needed to tell us that, even if it was a great city and men came thither from the whole world, if there are fewer than ten men unemployed there, it is considered as a village. The same says again: A large city that was destroyed, and afterward was rebuilt, must be considered as a large city. What is meant by destroying? Shall we assume it is meant that the walls were destroyed? Then if they were only rebuilt it is considered a large city, and not otherwise? Did we not learn in a Boraitha, R. Eliezer b. R. Jose said: It is written [ibid. 30]: "The house in the city which has a wall," from which we infer, which has had a wall previously, even though it has not now? Nay, what is meant by the expression "destroyed" is, that it has not now ten unemployed men (who learn the Law). R. Joshua b. Levi says again: It is obligatory for women to hear the reading of the Megilla, because they benefited also by the same miracle. He says again: If the Feast of Purim falls on Sabbath, it may be lectured about the duties of this day (Purim). Why only the Feast of Esther? Is this not a rule for all festivals? Did we not learn in a Boraitha: Moses ordained that the Israelites should lecture on the duties of each day: the Halakhoth of Passover on Passover, those of Pentecost on Pentecost, and those of Tabernacles on the Feast of Tabernacles? One might say, we shall take a precautionary measure not to lecture about the Megilla, lest one carry it four ells in public ground. As Rabha explains further on, he comes to teach us that such a precautionary measure is not taken about lecturing. The same says again: So also said R. Helbu in the name of Ulla: One is obliged to read the Megilla in the evening, and to repeat it in the daytime, as it is written [Ps. xxx. 13]: "To the end that my glorious soul may sing praise to thee, and never be silent. O Lord my God! forever will I give thanks unto thee." (As this psalm in the Pesiqtha is interpreted to refer to Mordecai and Esther, he explains "may sing praise to thee" means to read the Megilla in the night, and "never be silent" means to read it in the day.)

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* The Hebrew term for this is "Batlonim." The true meaning is that every city must hire ten persons who shall do nothing but study and pray.

"*Inhabitants of villages shall read,*" etc. R. Hanina said: The sages made it easier for the inhabitants of villages to read on the days of assembly, because they usually supply with water and food the inhabitants of towns on those days.

"*How is to be understood? 'If it falls on Monday,'*" etc. Why, in the first part of the Mishna, does it begin with the order of the days of the month and when it comes to explain it, it begins with the order of the days of the week? (It does not say "read on the 15th," but "on the morrow.") Because confusion between the numbers of the days in the month and in the week would have arisen, therefore it begins with the dates of the month alone.

"*If it fell on the eve of Sabbath,*" etc. According to whom is this Mishna? According to Rabbi, or according to R. Jose? Which Rabbi and R. Jose? Of the following Boraitha: If it falls on the eve of Sabbath, villages and large open cities used to read it on the day of assembly, and inhabitants of walled towns read it on that same day. Said Rabbi: *I* say that the large open towns must not have the appointed time postponed, and must be equal to walled towns, and both read the same day. And which R. Jose? From the following Tosephtha: If it falls on the eve of Sabbath, the inhabitants of walled towns and villages read on the day of assembly, and the large open cities read on the appointed day. R. Jose, however, said: The inhabitants of walled towns do not read in advance of those of the large cities, but both read on the appointed day. But does Rabbi hold that for the inhabitants of large cities we do not change for the day of assembly? Did we not learn in another Boraitha: If the Feast of Purim falls on Sabbath, the inhabitants of villages read in advance on the previous assembly day, and the inhabitants of large open cities read on the eve of Sabbath, and those of walled towns on the day following? As the appointed day has already been changed for the inhabitants of large cities for the previous day, (I say) it shall be fixed on a day before, which is the assembly day? What comparison is this? In case of the above Boraitha the right-time was on Sabbath, and as they had it changed it was set two days before; but in the previous Boraitha the right-time was the eve of Sabbath, why should it be changed? According to whom is what R. Helbu said in the name of R. Huna, as follows: If the Feast of Purim fall on Sabbath all is postponed for the day of assembly (Thursday). [What is meant by "all"? Is it possible, "all"? Do not the inhab-

itants of a walled town read it on the Sabbath itself? It means, for those for whom it has to be postponed, it shall be set on the assembly day.] This will be according to Rabbi.

We see, however, that all agree that the Megilla must not be read on the Sabbath. Why so? Said Rabha: All are obliged to read the Megilla, but not all are able to read it; and this is a precautionary measure, lest one take the Megilla in his hand and go with it to an expert to learn to read it, and at the same time he will carry four ells in public ground. (Therefore it must not be read on Sabbath at all.) And the same is the reason why we do not blow the cornet on the New Year's day when it falls on Sabbath, and do not use the Lulab on the first day of the Feast of Tabernacles when it falls on Sabbath. R. Jose said: Here is another reason: It is because the poor hope only for the day when the Megilla is read to receive gifts, a thing which cannot be done on Sabbath. We have learned the same also in the following Boraitha: Because it was said that the inhabitants of villages read in advance on the day of assembly, the charity that must be given on that feast shall be collected and distributed on the same day, because the poor hope only for the day when the Megilla is read. The enjoyment of eating and drinking, however, must be only on the appointed time.

Rabh said: If the Megilla is read in the right-time, it may be read even by an individual; but if not on the right-time, then only when ten men are together. R. Assi, however, said: In both instances it must be read only when ten men are together. It happened once that Rabh had not ten men: he took the trouble to assemble ten men because of R. Assi's decision.

MISHNA: What must be considered as a large town? Any town in which there are ten *Batlonim*. Should there be less than that number, it is legally considered a village. It was said with respect to these, that "it may be done sooner, but not later"; but the day of the delivery of wood for the priests, the fast on the 9th of Abh, the festive sacrifices, and the day of assembly (to fast and pray for rain) are to be postponed to a later day, but must not be kept before their proper time.

Although it was said in respect to the reading of the Megilla that it may be done earlier but not later, it is yet permitted on these days to pronounce funeral orations and to fast, also to give the gifts to the poor. Said R. Jehudah: When is it allowed to read the Megilla before its proper time? In places where it is customary for the country people to assemble in the towns on

Mondays and Thursdays; but where that does not take place, the Megilla may only be read on its proper day.

GEMARA: We have learned in a Boraitha: By the ten *Batlonim* are meant those who are always in the house of prayer (and must be supported by the congregation, so that at the prayer should never be less than ten men, as is explained in Tract Berachoth).

"*It may be done sooner, but not later.*" Why so? Said Samuel: Because in the Book of Esther it was said, "shall not trespass."

"*Delivery of wood for the priests, the 9th of Abh,*" etc. The 9th of Abh shall not be made sooner, because calamities are not lamented in advance; and concerning the festive sacrifice and the assembly, it cannot be done earlier, because that duty has not arrived yet. And a Boraitha taught: "The festive sacrifice, and all the time appointed for it (if it was not brought in its right time), can be postponed, but not made earlier." It is right, the festive sacrifice itself; if the festival falls on Sabbath, we postpone it till after Sabbath. But what is meant by "its time shall be postponed"? Said R. Ushia: The Boraitha meant to say thus: The feast-offering, when the festival falls on Sabbath, and the burnt-offering which must be brought when the pilgrims visit Jerusalem [see Deut. xvi. 16, 17], even when the festival did not fall on Sabbath, the offering had to be postponed for the time during the seven days after it. And this is according only to Beth Shammai (Betzah, Chap. II., Mishna 3). Rabha, however, said: What is meant by "the time of the feast-offering may be postponed"? Only for the seven days it can be postponed, not later.

R. Eleazar said in the name of R. Hanina: Rabbi used to set out a plant on Purim, and washed himself in the market of Ziporith (publicly) on the 17th day of Tamuz (which is a fast-day), and intended to abolish the fast of the 9th of Abh. But the sages did not agree with him. Said to him R. Abba bar Zabda: Rabbi, this was not so, for it once happened when the 9th of Abh fell on Sabbath, and it was postponed to Sunday, and Rabbi declared: When it has been postponed, it shall not be kept at all. And the sages did not agree with him. And the former then read the verse [in Ecc. iv. 9]: "Two are better than one." (Rashi explains this, that he means to say the second statement was better than the first; but it seems to us the explanation is different. He means to say that if so, both happened twice, and

Rabbi did not intend to abolish the 9th of Abh, but *did* abolish.)

Hezekiah used to read the Megilla in Tiberia both days—the 14th and the 15th—because it was doubtful to him whether Tiberia had been surrounded with a wall from the time of Joshua b. Nun. But how can this be doubtful? Is it not written [Josh. xix. 35]: "And the fortified cities Ziddim, Zer and Chammath, Rakkath and Kinereth"? And we have a tradition that Rakkath is Tiberia. It was doubtful to him, because on one side the sea was its wall. If so, why is it doubtful? The sea is not a wall, and we have learned in a Boraitha that what is written [Lev. xxv. 30], "the city that has a wall," means a wall, but not if the houses are built around like a wall—and that excludes Tiberia where the sea is the wall? He was not doubtful in respect to the law about houses in a walled town, but in respect to the Megilla, because the expression in the Megilla is "open towns," and he doubted whether the city, having the sea as a wall, is called open or not.

R. Asi used to read the Megilla in the city of Hutzl also on both days, because he doubted whether it was surrounded in the time of Joshua with a wall or not. According to others, R. Asi said: This Hutzl, which was in the tribe of Benjamin, I am certain was walled in the time of Joshua b. Nun.

R. Johanan said: When I was a child I said a thing, and afterward the elders were asked, and it was found that I was right; namely, Hammath, that is, Tiberia. And why is it called in the Bible Hammath? Because of the hot springs that are in Tiberia.* Rakkath is Ziporith, but why is it called in the Bible Rakkath? Because it is situated on the summit of a mountain, as the banks of a river are more elevated than the river.† Kinereth, that is, Genoser; but why is it called Kinereth? Because the fruit of this city is agreeable as the sound of a violin.‡ Said Rabha: Is it possible a man exists who says that Rakkath is not Tiberia? It is known to us that if a great man dies here in Babylon, they in Tiberia, in the funeral oration, say thus: The man was great in Sheshakh (Babylon,—Rashi explains this because Sheshah is, by the alphabet of Athbash, Babel) and his name has reached Rakkath. And if the coffin is brought thither, they say in the funeral oration so: Ye lovers of Israel, inhab-

* *Ham* is in Hebrew *hot*.

† *Rakkath* in Aramaic means the bank of a river.

‡ *Kinor* is a violin.

itants of Rakkath, go and receive the man who was killed in the valley of Babylon. And when R. Zera died, in the lamentation was mentioned Rakkath (see Moed Katan, p. 44). Therefore said Rabha: Hammath means Hammei-Grar. Rakkath is Tiberia, Kinereth is Genoser. And why is it called Rakkath? Because even the common men there are full of religious merits as a pomegranate.*

R. Jose bar Hanina said: It is written [Zechariah, ix. 7]: "And I will remove their blood out of their mouth, and their abominations from between their teeth: and their land also shall be left for our God." I will remove their blood out of their mouth,—that means, their *Beth Bamia*;† "and their abominations from between their teeth"—that is, their *Beth Galia*;† "and the land also will be left to our God" means, the houses of prayer and of learning which are in Edom (meaning Rome): "and it shall be as a prince's dwelling in Judah, and Ekron shall be like Jebusi"—that means the theatres and circuses which were in Edom, but in the future the princes of Judah will teach the Torah publicly in them. R. Itz'hak said: Lesbem is Pamias, Ekron is Cesaria—why is it called the daughter of Edom? Because it was the metropolis of kings. Same said because there kings were reared, and according to others because from the inhabitants of that city were made kings. Of Cesaria and Jerusalem—if one will say to thee, Both are destroyed, thou shalt not believe; if one will say, Both are in their splendor, do not believe; but if one will say, Cesaria was destroyed and Jerusalem is in its glory, or *vice versa*, you may believe, as it is written [in Ezek. xxvi. 2]: "I shall be made full, now she is in ruins"—that means, if one is full the other is destroyed, and if one is destroyed the other is full. R. Na'hman bar Itz'hak says, we infer it from the following passage [Gen. xxv. 23]: "one people shall be stronger than the other" (Israel and Edom, *i.e.*, Rome). And R. Itz'hak said: It is written [Is. xxvi. 10]: "If favor be shown to the wicked, he will not learn righteousness." Isaac our father said before the Holy One, blessed be He: Creator of the Universe! let Esau be favored. And He said: "He is wicked." Said Isaac again: "It is because he has not learned righteousness." And the Lord said again: "(It is known before me that even in the land of

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* *Rek* is in Hebrew *empty, idle*.

† Places for the worship of idols in Rome.

uprightness he will deal unjustly." Rejoined Isaac: "If it is so, (then) he shall not regard the majesty of the Lord." R. Itz'hak says again: It is written [Ps. cxl. 9]: "Grant not, O Lord, the longings of the wicked: suffer not his wicked device to succeed: lest they exalt themselves. Selah." Said Jacob before the Holy One, blessed be He: Creator of the Universe! do not grant to Esau the wicked longing of his heart; "his wicked device to succeed," meaning Germamia of Edom, for if they would go out they would destroy the whole world. He says again: If one will say to you: I have exerted myself, and not found, do not believe him; if one will say, I have not exerted myself, and have found, do not believe him. But if he will say, I have exerted myself, and have found, then believe him. This is all in the studying of the Law, but in business it is a matter of fortune sent from Heaven. And even in studying the Law you must not believe in his sagacity; but if he says what he has learned he has retained without much trouble, you may believe him, because this can be a help from Heaven. He says again: If you have seen a wicked man on whom fortune smiles, do not provoke him, as it is written [Ps. xxxvii. 7]: "Do not fret thyself because of the evil-doers"; so much the more when in his ways he is successful, as it is written [ibid. x. 5]: "Prosperous are his ways at all times." And not only this, but he always wins in a lawsuit, as it is written [ibid., ibid.]: "Far in the height remain thy punishments from him;" and not this only, but he sees vengeance on his enemies, as it is written [ibid.]: "All his assailants, he puffeth at them." This is not so? Did not R. Johanan say in the name of R. Simeon b. Yochi, that one may provoke the wicked in this world? As it is written [Prov. xxviii. 4]: "They that forsake the law praise the wicked; but such as observe the law contend with them." And we have learned also in a Boraitha: R. Dusthai bar Mathun said: A man may provoke the wicked in this world? [And lest one say: "Do not fret thyself because of the evil-doers, neither be thou envious against the workers of iniquity," this can be said only about him whose heart trembles. But the interpretation of this passage is thus: "Do not strive to be like the wicked, neither be thou envious to be like the workers of iniquity," as it is written [Prov. xxiii. 17]: "Let not thy heart be envious against sinners."] (Hence we see that the wicked may be provoked?) It presents no difficulty, for if it is in his own interest he shall not do so; but if in heavenly things, he may. And if you like, I can say: Both are

in his own interest; yet when he is a really upright man he may do so, but when he is not really upright he shall not do so. As R. Huna said: It is written [Habakkuk, i. 13]: "Wherefore wilt thou look upon those that deal treacherously; and be silent when the wicked swalloweth up him that is more righteous than he?" From this we may infer that the wicked swallows him who is more righteous than he, but him who is really upright he cannot swallow. And if you wish, I can say: with him whom fortune favors it is different.

MISHNA: If the Megilla had been read in the first Adar, and the year declared (by the Sanhedrin) to be intercalary, it must be again read in the second Adar. There is no difference between the first Adar and second, but in the reading of the Megilla and the gifts to the poor.

GEMARA: The Mishna says that the two Adars do not differ; that is to say, in the order of the portions that must be read from the Bible on the Sabbaths of the four weeks of Adar, the two Adars are equal. According to whom is the Mishna?

Not according to the first Tana, and not according to R. Eliezer b. R. Jose, and not according to R. Simeon b. Gamaliel of the following Boraitha: If they have read only the Megilla in the first Adar, and the year becomes intercalary, it must be read again in the second Adar, because all the duties that are obligatory in the second Adar are so also on the first Adar, except the reading of the Megilla. R. Eliezer b. R. Jose said: It must not be read in the second Adar, because all the duties customary in the second are so also in the first. R. Simeon b. Gamaliel in the name of R. Jose said: It must be read also in the second Adar, because all the duties obligatory in the second must *not* be done in the first. And we asked there, is R. Simeon b. Gamaliel not saying the same as the first Tana? And R. Papa answered: The order of the portions is different between them. Hence our Mishna is not in accordance with the first Tana, because of the gifts to the poor, which according to the Tana of the Boraitha must be given in the first Adar also; and not in accordance with R. Eliezer, who says the Megilla must not be repeated at all in the second Adar; and not in accordance with R. Simeon b. Gamaliel, as according to him there is a difference in the order of the portions (as R. Papa explained). The Mishna is in accordance with R. Simeon b. Gamaliel, but is not completed, and must read thus: There is no difference between the fourteenth day of the first Adar and the fourteenth day of

the second Adar, except in the reading of the Megilla and gifts to the poor. But the next day, in respect to mourning and fasting, they are equal. Concerning the order of the portions, the Mishna does not speak about it. Said R. Hyya bar Abin in the name of R. Johanan: The Halakha prevails according to what Rabban Simeon b. Gamaliel said in the name of R. Jose. Said R. Tabi: The reason why R. Simeon b. Gamaliel declares so is, that one redemption (from Haman) should be near to another redemption (from Egypt, Passover). R. Elazar said: The reason of R. Simeon b. Gamaliel is, because it is written in Esther [ix. 29]: "To confirm this letter of Purim the second time." "The second" means in the second Adar.

R. Samuel bar Jehudah said: Esther sent to the sages the request: "Establish me for the later generations." And they answered: "You want to excite the envy of other nations against us." She rejoined: "My history is already written in the chronicle of the kings of Media and Persia." Rabh and R. Hanina, R. Johanan and R. Habiba (see Sukka, page 5), taught: Esther sent to the sages: "Write about me for later generations." And they answered to her: It is written [Prov. xxii. 20]: "Have I not written for thee thrice?" * (thrice means, three times shall be mentioned in the Torah the war with Amalek—in Exodus, in Deuteronomy, and in I. Samuel): only thrice, and not four times. Finally, they found a passage in the Pentateuch [Ex. xvii. 14]: "Write this for a memorial in the book"; and they interpreted the passage thus: "Write this"—what is written here and in Deuteronomy; "for a memorial"—*i.e.*, what is written in the Prophets (Samuel); "in the book"—*i.e.*, what is written in the Book of Esther. We have learned in a Boraitha: R. Eliezer said: The Book of Esther was dictated by the Holy Spirit, as it is written [Esther, v. 16]: "And Haman said in his heart"; and if it were not by the Holy Spirit, how could we know what he said in his heart? R. Aqiba said: "Esther" was dictated by the Holy Spirit because it is written [ibid. ii. 15]: "And Esther found favor in the eyes of *all* those that beheld her" (this also could not be known, but for the Holy Spirit). R. Meir said: "Esther" was dictated by the Holy Spirit, because it is written [ibid. 22]: "And the thing became known to Mordecai" (and who told him? We must say that it

* The expression is *Shalishim*, which the Talmud translates literally, "thrice"—though in Leeser it is different.

was the Holy Spirit). R. Jose b. Durmaskes said: From this passage [ix. 10]: "But to the spoil did they not stretch forth their hands" (and it could not be known what was done in the one hundred and twenty-seven provinces by everyone). Said Samuel: If I had been there, I would have said a thing better than all these sayings: It is written [ibid., ibid. 27]: "The Jews confirmed it as a duty, and took it upon themselves." That means, they confirmed in Heaven what they took upon themselves below. Said Rabha: To all the above sayings I have objections, except to Samuel, to whom it cannot be objected. What R. Eliezer said—that was common sense. Haman knew there was not a man in the king's court that was so respected as he himself, and it is self-evident that thus he thought. What R. Aqiba said—perhaps it was as R. Elazar explains farther on, that every nation thought Esther was of its race; and what R. Meir said—perhaps it was as R. Hyya bar Abbi will explain farther on, that Mordecai understood the language of Rigthau and Theres; and what R. Jose b. Durmaskes said—perhaps they may have sent messengers to the king; but to what Samuel said there is no objection. Said Rabbina: That is as people say, it is better to have one pungent pepper-grain than a full basket of cucumbers. R. Joseph said: From this passage [ix. 28]: "And these days of Purim will not pass away" (and how can this be known? Only from the Holy Spirit). And R. Na'hman b. Itz'hak said (from the end of the verse): "Nor will their memorial cease from their seed."

"*Gifts to the poor.*" R. Joseph taught: It is written [ix. 22]: "Sending portions one to another." "Portions" in plural —two portions should be sent to one man; "and gifts to the needy"—needy is in plural: that means, no less than two portions to two men. R. Jehudah the Second * sent to R. Oshyia a leg of a third-born calf and a pitcher of wine, and the latter sent to him the message: "The Master has confirmed both duties"—to send portions one to another; and to give gifts to the needy." Rabha sent to Mari bar Mar through Abayi a bag of dates and a goblet full of flour of dried wheat. Said Abayi to him: Now Mari will say: When a countryman becomes a king, he is still unable to remove the basket from his shoulder. And it is the same with you: now you are the Head of the College, and send

* We doubt whether it was the second or the third, as there were also two Oshyias, one in the time of the second and one in the time of the third. See Seder Hadoroth, parag. Oshyia.

to him commonplace articles. R. Mari bar Mar returned to Rabha through Abayi a pouch (*tasca*, Lat.) of ginger and a goblet full of long pepper. Said Abayi: Now the Master will say: I had sent him sweets, and he has sent to me pungent things. Said Abayi again: When I went out from the house of my Master, I was sated. When I arrived there, they furnished the table with sixty diverse dishes, and they ate all; and the last dishes were called "roast of Kedar," and it was so good that I wanted to eat up the dish with it. And this is what people say: "The poor does not know even when he is hungry." Or, as people say: "The stomach is wide enough for sweet things."

Abayi bar Abbin and R. Hanina bar Abbin used to change their meals on Purim. Said Rabha: A man is obliged to intoxicate himself on Purim, till he cannot distinguish between "cursed be Haman" and "blessed be Mordecai." Rabha said again: If one has eaten the festive meal in the night, he has not fulfilled his duty, because it is written, "*days* of entertainment and joy."

R. Ashi was sitting in the presence of R. Kahana. It became dark, and the rabbis had not yet come. Said R. Kahana to him: Why have not the rabbis come yet? And he answered him: Perhaps they are engaged with the festive meal? And he rejoined: Could they not have the festive meal in the evening? Said R. Ashi: Has the Master not heard what Rabha said, that if one has eaten the meal of Purim in the night, he has not fulfilled his duty. And he rejoined: Did Rabha indeed say so? And he answered: Yea. And he learned it from him forty times, and afterward it was as if he had put it into his pocket.

MISHNA: There is no difference between Sabbath and festivals, except in the preparation of food. There is no difference between the Sabbath and the Day of Atonement, excepting that those who knowingly and wilfully profane the Sabbath are punished by man, while those who wilfully profane the Day of Atonement are punished with *Karoth* (by Heaven).

There is no difference between one who by a vow has interdicted himself from receiving a benefit from another man and one whose vow was confined to the interdiction of accepting any food from another, except that it is not lawful for the first to set his foot in the house (or property) of the other and to borrow vessels (of the other) which are not used for the preparation of food. There is no difference between vows and voluntary offer-

ings, except that in the case of the first-mentioned the person who thus vows is liable for the risk, but he is not liable for the last-mentioned.

GEMARA: "*Except in the preparation of food.*" But in the preparations for the preparing of food, they are equal.

"*He is punished with Karoth.*" But in paying of damages, both are equal. And the Mishna is in accordance with R. Nehunia b. Hakana of the following Boraitha: He decided that the Day of Atonement is equal to Sabbath with regard to damages: as on Sabbath, because it is a capital punishment, no damages are to be paid, so on the Day of Atonement, as the punishment is *Karoth*, he is exempt from damages.

"*Vessels which are not used*," etc. But in regard to vessels which *are* used for the preparation of food, they are equal.

"*He is not liable for the last-mentioned.*" But with regard to the commandment, "Thou shalt not delay," they are equal. (This is explained in Tract Rosh Hashana, page 5.)

MISHNA: There is no difference between a person laboring under an involuntary emission of semen who has experienced it twice (on the same day, or on the two following days) and one who has experienced it thrice (in the same time, or within three days), excepting that the last-mentioned must bring a sacrifice. There is no difference between a leprous person who has only been shut up and one whom the priest has declared as leprous, excepting that the latter must go with rent clothes, and suffer the hair of his head to grow wild. There is no difference between the leper declared clean after being shut up and one who has been cured of that disease, excepting that the latter must be shaved, and bring offerings of birds.

There is no difference between the Holy Books and Thephilin and Mezuzoth, except that the first-mentioned may be written in any language, but the latter in Assyrian characters only. Rabban Simeon b. Gamaliel says: The permission to write the Holy Books in another language was limited to the Greek language only.

There is no difference between a high-priest anointed with the sacred oil and one whose dignity was marked by additional sacerdotal vestments only, except the bull which the first-mentioned is to offer, in case he gave a wrong decision which led to a transgression of a precept. There is no difference between an officiating high-priest and his late substitute, except the bull offered on the Day of Atonement, and the

tenth of the ephah of flour (which the real high-priest alone might offer).

There is no difference between a large high place * and a small one, except the Paschal offering. This is the rule: All offerings which are brought in consequence of vows, and all peace-offerings, may be offered on a small high place, but not sacrifices of another kind.

There was no difference between the Tabernacle of Shiloh and the Temple of Jerusalem, except that at the former place it was lawful to eat of sacrifices having a minor degree of holiness, and of the second tithe, in any place from whence Shiloh might be seen; but in Jerusalem it was lawful to eat these within the walls only. In both places, however, sacrifices which were most holy might be only eaten within the hangings (of the court of the sanctuary). The holiness of Shiloh had subsequently a period in which it became lawful (to offer sacrifices elsewhere), but the holiness of Jerusalem has no such period.

GEMARA: "*Excepting that the last-mentioned must bring a sacrifice.*" But in respect to their lying, sitting, and the seven days which they have to wait till it is allowed to take a legal bath, both are equal (all this will be explained in Tract Zabim).

"*There is no difference between a leprous person,*" etc. But in regard to sending him away outside of the assembly and in respect to defilement they are both equal (as will be explained in Tract Negaim).

"*There is no difference between the Holy Books,*" etc. But to sew it with dried veins of a clean animal and to make unclean the hand (see Appendix, Sabbath) both are equal.

"*May be written in any language.*" There is a contradiction to the following Boraitha: If one wrote a Targum instead of portions of the Holy Book (in the original); or, *vice versa*, if he wrote the translation in characters of the original, and also if he wrote it not in Assyrian but ancient Hebrew (square) characters, it is not holy to make unclean the hand, until it should be written in Assyrian characters, in a book and with ink (and there it has been said the *Holy* Books can be written in all languages). It presents no difficulty: the Boraitha meant, not Holy Books, but the Thephilin and Mezuzoth, and the Mishna means Scripture. What is the reason that Thephilin and Mezuzoth if written in

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* High places are the public altars on which they used to sacrifice before the erection of the Temple at Jerusalem. Small places are altars of private persons.

another tongue are not holy? Because it is written [Deut. vi. 8]: "*They shall be* as frontlets between thy eyes." They shall be as originally.

What is meant, if the Targum was written in the original characters? If in the Torah, it is right. The words "Yegar Sahadutha" [Gen. xxxi. 47] are Aramaic; but what Aramaic words are in the Thephilin? Therefore we must answer the contradition thus: The Boraitha refers to the Book of Esther. Why must it not be written in other languages? Because it is written [Esther, viii. 9]: "According to their writing, and according to their language." But what Aramaic words are in the Book of Esther? Said R. Papa [in Chapter I., verse 20], "The king's *decree*" (Pithgam), which is not a Hebrew word, but Aramaic. R. Na'hman bar Itz'hak said [ibid., ibid.]: The last word, "will show *respect*" (Yekar), is not Hebrew. R. Ashi, however, said: That the Boraitha means, not the Holy Scrolls (Pentateuch), but the Prophets and Hagiographa. And this is in accordance with R. Jehudah of the following Boraitha: Thephilin and Mezuzoth must be written only in Assyrian characters; and our sages have not allowed they shall be written in any language, only in Greek. And in addition to this Boraitha it is stated: Said R. Jehudah: The sages allowed to write in Greek only the Pentateuch, but not anything else. And this was also allowed only because of what occurred with Ptolemy the king, as follows: It happened to Ptolemy the king that he took seventy-two elders from Jerusalem, and placed them in seventy-two separate chambers, and did not inform them to what purpose he had brought them. And afterward he entered to each of them, and said to them: Translate me the Torah of Moses from memory. And the Holy One, blessed be He, sent into the heart of each of them a counsel, and they all agreed to have one mind, and changed as follows: Instead of "In the beginning God created the world," they wrote, "God created the world in the beginning"; instead of Gen. i. 26 they wrote, "*I* will make a man in an image"; instead of Gen. ii. 2 they wrote, "And God finished on the sixth day, and rested on the seventh day"; instead of Gen. v. 2 they wrote, "created *him*"; instead of Gen. xi. 7 they wrote, "Let *me* go down"; [xviii. 12]: "And Sarah laughed among her relatives"; instead of xlix. 6, "In their anger they slew an ox, and their self-will lamed a fattened ox." And instead of Ex. iv. 20, "Set them on a porter (man-carrier)"; instead of ibid. xii. 40, "Dwelt in Egypt and in *other lands*"; and ibid. xxiv. as ibid.,

" Against the *respectable* men of Israel." Instead of Num. xvi. 15, " Not one precious thing I took away"; and instead of Deut. iv. 19 they wrote, " assigned to light for all nations"; instead of ibid. xvii. 3, " which I have not commanded to worship"; and instead of Lev. xi. 6, " the hare," which is expressed in the Bible " Arnebeth," as Ptolemy's wife was named so they wrote, " and the beast that has small feet."

" *Rabban Simeon b. Gamaliel says,*" etc. Said R. Abahu in the name of R. Johanan: The Halakha prevails according to R. Simeon b. Gamaliel. And he says again: What is the reason of R. Simeon b. Gamaliel? Because it is written [Gen. ix. 27]: " May God enlarge the boundaries of Japheth, and may he dwell in the tents of Shem." That means to say, the most beautiful thing which Japheth has—that is, the Greek language—shall dwell in the tents of Shem.

" *There is no difference between a high-priest,*" etc. But in respect to the bullock of the Day of Atonement, and the tenth of an ephah, which the high-priest must bring, both are equal.

" *There is no difference between Shiloh and Jerusalem.*" Said R. Itz'hak: I have heard that one may sacrifice in the Temple of Honin in Egypt, even at this time. He holds that the Temple of Honin is not a temple for idolatry, but for God, and also that the sanctitude of Jerusalem was only while the Temple existed, but is not so for the future, since its destruction. As it is written [Deut. xii. 9]: " For ye are not as yet come to the rest and to the inheritance." " To the rest," *i.e.*, the Tabernacle of Shiloh; " to the inheritance," *i.e.*, the Temple of Jerusalem: and we see that the Tabernacle of Shiloh is compared to the Temple of Jerusalem, as Shiloh, after the Tabernacle was destroyed, ceased to be holy, and it was lawful to sacrifice elsewhere, the same was with Jerusalem. The sages then said to R. Itz'hak: Do you say so? And he answered: No. Said Rabha: I swear by God that he has said so, and I have learned it from him. But what is the reason that he himself receded from this? Because R. Mari objected to this, from a Boraitha which states that the sanctitude of Shiloh was gone after the Tabernacle was destroyed, but of Jerusalem the sanctitude was not gone even after the Temple's destruction.

It is written: " And it came to pass in the days of Ahasuerus." R. Levi, according to others R. Jonathan, said: This is a tradition among us from our ancestors—the men of the Great Assembly—that wherever it is written וַיְהִי (it came to pass),

was some disaster. Here there was Haman. In Ruth: "And it came to pass in the days of the judges." There was hunger. Genesis, vi. 1: "And it came to pass when men began to multiply," and soon after is written: "And God saw that the wickedness of man was great"; [ibid. xi. 2]: "And it came to pass as they journeyed toward the east." And there was the dispersion. And ibid. xiv. 1: "And it came to pass in the days of Amrophel." There was a war. In Joshua, v. 13: "It came to pass when Joshua was by Jericho," it is written he saw a man with a drawn sword in his hand; ibid. vi. 27: "And the Lord *was* with Joshua" (the Hebrew expression is the same); and soon it is written: "And the children of Israel committed a trespass"; I Samuel: "There *was* a certain man"; and afterward it is written: "Hannah he loved, but the Lord had shut her womb." Ibid. viii. 1: "It came to pass when Samuel was old." His sons walked not in his way. Ibid. xviii. 14: "And David *was* successful in all his ways," and soon comes: "Saul was in dread of him." II Samuel, vii. 1: "And it came to pass when the king dwelt in his house." And he was not allowed to build the Temple. But is it not written [Gen. xxix. 16]: "When Jacob saw Rachel," and in Genesis [i. 5]: "And it was evening, and it was morning, the first day"—and so in many other instances, and no disaster happened? Wherever it is said, "it came to pass," there may or may not be a calamity; but whenever it is said, "and it came to pass in the days," there surely happened a misfortune. There are five expressions, "it came to pass in the days"; viz., in the days of Ahasuerus, the Judges, Amrophel, Ahaz [Is. vii.], and Yoiakim [Jerem. i.], and in all instances there were troubles.

R. Levi says again: We have a tradition from our ancestors that Amuz and Amaziah were brothers. What does he come to teach us? It is similar to what R. Samuel b. Nahmani said in the name of R. Jonathan: A bride who is chaste in the house of her husband's parents deserves that kings and prophets should descend from her, and this we infer from Tamar, as it is written [Gen. xxxviii. 15]: "And Judah saw her and thought her to be a harlot, because she had covered her face." Because she had covered her face he took her for a harlot? That means, she had covered her face when she had been in his house, so that he did not know her. Therefore she was rewarded that from her descended kings and prophets—kings from David; and prophets, as R. Levi said above. Amuz

and Amaziah were brothers, and Isaiah the son of Amuz was a prophet.

R. Jonathan, when he came to lecture about the Book of Esther, began with this passage [Is. xiv. 22]: "I will rise up against them," etc., "and I will cut from Babylon name and remnant, and son and grandson, saith the Lord." Name, *i.e.*, they will not have their own writing; "remnant," they will not have their own language; "son," they will not have any kingdom; "grandchild," that means Vashti.

R. Simeon b. Nahmani, when he came to lecture, began his lecture with the passage [Is. lv. 13]: "Instead of the thorn shall come up the fir-tree, and instead of the nettle shall come up the myrtle." "Instead of the thorn," *i.e.*, instead of Haman the wicked, who made himself an idol, as it is written [ibid. vii. 19]. "All thorn-hedges"; "shall come up the fir-tree," *i.e.*, Mordecai, who was the essence to all the spices, as it is written [Ex. xxx. 23]: "And thou, take unto thyself principal spices, of pure myrrh"—this is translated in the Aramaic Mor-decai; "instead of the nettle," *i.e.*, Vashti the wicked, who was granddaughter of Nebuchadnezzar the wicked, who had burnt the house of God, shall rise Esther the upright, who was called Hadassa (Myrtle), as it is written: "And he had brought up Hadassah —that is, Esther" [Esther, ii. 7]; "And it shall be unto the Lord for a name," *i.e.*, the reading of the Megilla; "for a sign of everlasting that shall not be cut off," *i.e.*, the Days of Purim.

R. Joshua b. Levi began his lecture from this passage [Deut. xxviii. 63]: "And it shall come to pass that as the Lord rejoiced over you to do you good, and to multiply you, so will the Lord rejoice over you to bring you to nought, and to destroy you." Let us see. Does the Holy One, blessed be He, rejoice when the wicked are in misfortune? It is written [II Chron. xx. 21]: "As they went out before the armed array, and said: Give thanks unto the Lord; for unto everlasting endureth his kindness." Said R. Johanan: Why is it not here said, as usually, "for He is good"? Because the Holy One, blessed be He, rejoices not at the misfortunes of the wicked. And R. Johanan said again: It is written [Ex. xiv. 20]: "And the one came not unto the other all the night." That means, the angels of heaven wanted to sing the usual song, and the Holy One, blessed be He, said to them: My creatures are drowning in the sea, and you want to sing songs! Said R. Elazar: He Himself does not rejoice, but He makes others rejoice. And it seems to be

so, because it is not written: "As *he* rejoiced," etc., "so will he rejoice" (others).*

R. Abba bar Kahana began his lecture with this passage [Ecc. ii. 26]: "For to a man who is good in His presence He giveth wisdom and knowledge and joy"—this means Mordecai the Upright; "but to the sinner he giveth employment to gather up and to bring together"—that means Haman; "that he may give it to him that is good before God," *i.e.*, Mordecai and Esther, as it is written afterward [Esther, viii. 2]: "And Esther appointed Mordecai over the house of Haman."

Rabba bar Upbron began his lecture with the following passage [Jerem. xlix. 38]: "And I will set up my throne in Elam, and I will destroy thence kings and princes." By kings is meant Vashti, and by princes Haman and his ten sons.

And R. Dimi b. Itz'hak begins to lecture from this passage [Ezra, ix. 9]: "For we are bondmen; yet in our bondage hath our God not forsaken us, but hath extended unto us kindness before the kings of Persia." And that was in the time of Mordecai.

R. Hanina bar Papa begins his lecture from this passage [Ps. lxvi. 12]: "Thou hast caused men to ride on our heads: we entered into fire and into water." "Into fire," in the time of Nebuchadnezzar; "into water," in the time of Pharaoh. "But thou broughtest us to the enjoyment of overflowing plenty." That was in the time of Haman.

R. Johanan began his lecture from this passage [Ps. xcviii. 3]: "He hath remembered his kindness and his truth to the house of Israel: all the ends of the earth have seen the salvation of our God." When did all the ends of the earth see it? In the time of Mordecai and Esther.

Resh Lakish began his lecture with this passage [Prov. xxviii. 15]: "As a roaring lion and greedy bear, so is a wicked ruler over an indigent people." "The roaring lion"—that is, Nebuchadnezzar, as it is written [Jeremiah, iv. 7]: "The lion is come up from his thicket." "A greedy bear" is Ahasuerus, about whom it is written [Daniel, vii. 5]: "And behold, there was another, a second beast, like a bear." And R. Joseph said: The Persians are meant, who eat and drink like a bear, and are corpulent like a bear, and let their hair grow like a bear, and

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* The Hebrew is ישוש, "he will make rejoice." "He will rejoice himself" should have been ישוש.

have no repose, like a bear. "Wicked ruler," *i.e.*, Haman; "indigent people," *i.e.*, Israel, who are poor in merits.

R. Elazar begins his lecture with this passage [Ecc. x. 18]: "Through slothful hands the rafters will sink, and through idleness of the hands the house will become leaky." That means to say, because Israel became idle, and did not observe the Law, the enemy of the Holy One, blessed be He (meaning Him), becomes sunk, *i.e.*, poor.

R. Na'hman b. Itz'hak begins his lecture with this passage [Ps. cxxiv. 2]: "If it had not been the Lord who was for us, when men rose up against us." Men, and not a king (that is Haman).

Rabha begins his lecture with [Prov. xxix. 2]: "When the righteous are in authority, the people will rejoice; but when the wicked beareth rule, the people groan." When the righteous rule, *i.e.*, Mordecai and Esther, the people rejoice, as it is written [Esther, viii. 15]: "And the city of Shushan was glad and joyful." And when the wicked rule, *i.e.*, Haman, the people groan, as it is written [ibid. iv. 15]: "But the city of Shushan was perplexed."

R. Mathna begins with the following passage [Deut. iv. 7]: "For what great nation is there that hath God so nigh unto it?"

R. Ashi begins with the following passage [ibid., ibid. 34]: "Or hath God essayed to go to take to himself a nation from the midst of a nation?" (What they lectured is not written.)

"*And it came to pass in the time of Ahasuerus.*" Said Rabh: Woe! woe! This is what is written [ibid. xxviii. 68]: "And there ye will offer yourselves for sale unto your enemies for bondmen and bondwomen without anyone to buy you." Samuel said: It is written [Lev. xxvi. 44]: "I will not cast them away, neither will I loathe them, to destroy them utterly." I have not cast them away—in the times of the Greek, and I have not loathed them—in the time of Nebuchadnezzar; "to destroy them"—in the time of Haman; "to break my covenant with them"—in the time of the Persians; "for I am the Lord their God"—in the time of Gog and Magog. A Boraitha stated: "I will not cast away"—in the times of the Chaldeans, as in that time I raised for them Daniel, Hananiah, Mishael, and Azariah; and have not loathed men in the times of the Greeks, when I gave them Simeon the Upright and the Maccabees; "to destroy them"—in the time of Haman I gave them Mordecai

and Esther; "to break my covenant"—in the time of Rome I gave them the House of Rabbi and the sages of that generation; "for I am the Lord their God"—in the future no nation or tongue will dominate over them.

R. Levi said: From this verse [Num. xxxiii. 55], and R. Hyya from ibid. 56. (What they lectured is unknown.)

"*Ahasuerus.*" Said Rabh: He was the brother of a head* and the companion of a head. "The brother of a head," *i.e.*, brother of Nebuchadnezzar the wicked, who was called "head," as it is written [Daniel, ii. 38]: "Thou art the head of gold." "And the companion of a head"—what Nebuchadnezzar did, *he* intended to do. Nebuchadnezzar killed, *he* intended; Nebuchadnezzar destroyed, *he* had the intention. As it is written [Ezra, iv.]: "In the beginning of the reign of Ahasuerus, they wrote slanders on the inhabitants of Judea and Jerusalem." Samuel said: Ahasuerus signifies "black,"† *i.e.*, in his time the faces of the Jews were black as the bottoms of pots. R. Johanan says: Ahasuerus signifies "woe to his head" (*ah, rosh*); and R. Hanina says it signifies "poor" (*rash*)—his taxes were so heavy that men became poor.

It is written [Esther, i. 1]: "The same Ahasuerus"—he was the same in his wickedness from beginning to end. (Similarly) it is written [in Gen. xxxvi. 43]: "This is Esau," *i.e.*, the same in wickedness from beginning to end; and [Num. xxvi. 9]: "These are Dathan and Abiram," *i.e.*, they were the same in wickedness always; and [II Chron. xxviii. 22]: "He, King Ahaz," *i.e.*, the same in wickedness always; and on the contrary, also [I Chron. i. 27]: "Abram—the same is Abraham," *i.e.*, Abraham was the same in his righteousness from beginning to end; [Ex. vi. 26]: "These are Aaron and Moses," *i.e.*, were the same in righteousness from beginning to end; [I Samuel, xvii. 14]: "And David was the youngest," that means, he was as in his youth from beginning to end: as in his youth he humbled himself before one greater than he, so also when he was a king he was modest before a man superior to him in wisdom.

"*Who reigned.*" Said Rabh: He was a self-made king. Some say, it was in his praise, there was none so fit to be a king as he; and some say it is to his disgrace—he was not fit to be a king, but he had much money, and the money made him king.

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* *Ah* is brother and *Ras* is head, and it is considered as composed of two words.
† *Sha'hor* is "black."

The rabbis taught: Three kings reigned over the whole world—Ahab, Ahasuerus, and Nebuchadnezzar. Ahab, as it is written [I Kings, xviii. 10]: "As the Lord thy God liveth . . . he caused that kingdom and nation to take an oath . . ."; and if they would not be under his dominion, how could he cause them to take an oath? Nebuchadnezzar, as it is written [Jerem. xxvii. 8]: "And it will come to pass that the nation or kingdom which shall not serve Nebuchadnezzar, king of Babylon, and not place its neck under the yoke of the king of Babylonia." Ahasuerus, as stated in Sanhedrin, was king of the whole world. Are these all? Was not Solomon also king of the whole world? Solomon was not a king to the end of his life.

This is right, according to those who hold he was first a king and then a common man; but according to those who say he was a king, a common man, and then again a king, what can be said? Solomon is different. He reigned over the beings above* and below, as it is written [I Chron. xxix. 23]: "Solomon sat on the throne of the Lord." (He is not reckoned with them.) But there is Sennacherib? As it is written [Is. xxxvi. 19]: "Which of all the gods of the lands have saved their countries from my hand?" There was Jerusalem, which was not subject to him. But there is Darius? As it is written [Dan. vi. 26]: "Darius the king wrote to all peoples, nations, and tongues that live on the whole earth: Your peace shall be great." There were seven countries not under his dominion; as it is written [ibid. 2]: "It pleased Darius, and he raised over his kingdom 120 satraps" (while Ahasuerus reigned over 127). But there is Cyrus? As it is written [Ezra, i.]: "So said Cyrus, king of Persia: All the kingdoms of the earth the Lord hath given unto me." He only vaunted.

"When the king sat," and, "in the third year of his reign." That is a contradiction? Nay, it is when he became firmly seated on the throne.

R. Na'hman b. Hisda lectured: It is written [Is. xlv. 7]: "Thus hath said the Lord to his anointed, to Cyrus, 'Whom I have taken hold of by his right hand.'" Was then Cyrus a Messiah? It is meant that God had said to Messiah: I complain of Cyrus; I have thought he would build my House, and gather all my people that were in exile, and he only says [Ezra,

* According to Rashi—"the demons."

i. 3]: "Whoever among you that is of all his people, may his God be with him, and let him go up to Jerusalem" [but did not command all to return].

It is written in the first chapter: "The army of Persia and Media"; and [x. 2] "The kings of Media and Persia." Why is Media here mentioned first, and in the other verse Persia? Said Rabha: They made this agreement between them: When one of our nation will be king, the governors will be of your nation, and *vice versa;* [ibid. i. 5]: "And when these days were completed." Rabh and Samuel say, one that he was a wise king, and the other that he was a foolish king. One says he was a wise king, because he made the feast first for the remote subjects, because for his townsmen he could make it at any time; and the other says he was a fool, for he should have made it first for his townsmen, so that if those would rebel, these at least would defend him.

The disciples of R. Simeon b. Yochi asked their Master: By what sins had the Israelites incurred the decree of Haman in that age? Answered he: What is your opinion? They said: Because they enjoyed the feast which Ahasuerus the wicked man made. If so, only those of Shushan should have suffered. Why did those of all provinces? They said to him: Let the Master explain. So he answered: Because they kneeled to the image. Said the disciples to him: If so, they were guilty, and why were they not killed? And he answered: They bowed to the image not because they wanted, but only for appearance; so the decree against them was also for appearance not carried out. And this is what is written [Lam. iii. 33]: "He doth not afflict of his own will."

"In the court of the garden of the king's palace." Rabh and Samuel—one says every one was placed in the place he fitted: the court, garden, and king's palace; and one says he first tried to place them in the court, and it could not contain them; he then placed them in the garden, and it also could not contain them, until he placed them in the king's palace. A Boraitha, however, states that he placed them in the court from which two doors opened, one into the garden and another into the palace.

"And the royal wine was in abundance" [Esther, i. 7]. Said Rabh: We infer from this that he gave to each to drink wine that was older than he.

"And the drinking was according to the order" [ibid. 8]. What is meant by "according to the order"? R. Hanan said

in the name of R. Meir: It was according to the order of our Torah. As in our Law eating precedes drinking, so he gave more to eat than to drink.

"Without compulsion." Says R. Elazar: From this it can be learned that to each was given to drink wine that grew in his country.

"On the seventh day, when the heart of the king was merry with wine." And till then, what did he do? Was he not till then merry with wine? Said Rabha: The seventh day was Sabbath. When Israelites eat and drink on Sabbath, they begin with sayings of the Law and praises to God; but the nations, when they feast, speak about women. These said the Medians are beautiful, and those said the Persian women are more fair. And Ahasuerus said to them: The one that I have is neither Median nor Persian, but Chaldean, and she is fairer than they all; and if you wish you can see her. They said: Yea, we wish to see her, but she must be naked. And the same measure which one uses, is used against one: as Vashti used to take Israelite maidens, and make them work nude, on Sabbath, so also it was decreed that she should be brought nude. And this is what is written [Esther, ii. 1]: "After these events, as the king's fury was appeased, he remembered Vashti, and what she had done, and what had been decreed concerning her"; *i.e.*, the decree had been the same as what she had done. "And the king was very wroth." What was the cause? Said Rabh: She sent to him this message: Thou groom of my father, my father used to drink wine as a thousand persons, and never had he committed such follies when he was drunk as thou." And therefore he was so wroth.

"Then said Memuchan." We have learned in a Boraitha: Memuchan was Haman. Why was he called Memuchan? Because he was *destined** for the troubles that befell him afterwards. R. Kahana said: From this we see that usually an ignorant man comes forward first (as he is mentioned last in verse 14).

"That every man should bear rule in his own house." Said Rabha: But for the first letters, there would have been left no remnant of Israel; because the men laughed at such a decree, that every man should rule in his own house. For even a tanner is in his own house a prince, and therefore they did not pay so much attention to the second decree in the later letters.

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* *Muchan* in Hebrew is "prepared," "designed."

"And let the king appoint officers." Said Rabh: It is written [Prov. xiii. 16]: "Every prudent man acteth with knowledge, but a fool spreadeth abroad his folly." "Every prudent man acteth with knowledge"—that was David, as it is written [I Kings, i. 2]: "Wherefore his servants said unto him, Let them seek out for my lord the king a young virgin." Everyone who had a daughter, brought her himself to the king. "But a fool spreadeth abroad his folly," *i.e.*, Ahasuerus, who had to appoint officers, for whoso had a beautiful daughter hid her from him.

"There was a certain Jew in Shushan the capital . . . a Benjamite." What is meant by "he was a Benjamite"? If it is meant to give his genealogy, let it have been traced to Benjamin; otherwise, why were the first three of his ancestors mentioned? In a Boraitha it is explained that all the three names are not those of his ancestors, but are his own. The son of Yair, *i.e.*, the man who made the eyes of the Jews *light** with his prayer; the son of Shimi, the man whose prayer God *heard;** the son of Kish, *i.e.*, the man who *knocked* on the gates of *Mercy, and they* were opened to him.* Said R. Na'hman: Mordecai was crowned with these fair names. It is written, "a Judean man," and then, "a Benjamite." Which was he? Said Rabba bar bar Hana in the name of R. Joshua b. Levi: His father was a Benjamite and his mother was a Judean. The sages, however, said: The tribes disputed with each other. Judah said: Through me Mordecai was born, for if David had killed Shimi b. Gera, he could not have been born; and Benjamin said, he belongs to me, because he is of my tribe. Rabha says: On the contrary, the Kneseth (congregation) of Israel said: See what Jehudah did to me, and see what the Benjamites have done to me: Judah, because David did not kill Shimi, made possible the birth of Mordecai, of whom Haman became jealous; and because Saul had not killed Agag was born Haman, who caused troubles to Israel.

R. Johanan said: He was a Benjamite. Why is he called a Judean? Because he did not want to worship idols, and every Israelite who rejects idols is called a Judean, as it is written in Daniel x. 12: "There are certain *Judean* men," etc. "Thy gods they do not worship."

R. Simeon b. Pazzi, when he wanted to lecture about Chroni-

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**Our* is "light," *Shema* is "hear," *Kish* is "rap."

cles, began thus: All the names which are mentioned in the Chronicles without any explanation, we are nevertheless able to explain them. It is written [I Chronicles, iv. 18]: "And his wife the Judean bore Jered the father of Gedor, and Cheber the father of Socho, and Jekuthiel the father of Zanoach. And there are the sons of Bithya the daughter of Pharaoh, whom Mered had taken (for wife)." Why was she called "the Judean"? Because she denied idolatry, as it is written [Ex. ii. 5]: "And the daughter of Pharaoh went down to wash herself at the river." And R. Johanan said: She went to cleanse herself of the idolatries of her father's house.

"Bore Jered." Did she bear him—she only reared him? From this we may infer that whoso rears an orphan is the same as if she bore him. Jered—that is, Moses. Why is he called Jered? Because in his day manna *descended** from heaven to Israel. "Gedor,"* *i.e.*, he fenced up the breaches of Israel. "Cheber,"* *i.e.*, he *joined* the Israelites to their Heavenly Father. "Socho"*—he was to Israel as a tabernacle (protection). "Jekuthiel"—the Israelites *hoped* to God in his days.† Zanoach," *i.e.*, he *abandoned*† or atoned for the sins of Israel in his days. It is written three times "Abi" (father), *i.e.*, he was the father of Torah, the father of Wisdom, and the father of Prophets. And these are the sons of Bithya the daughter of Pharaoh, whom Meret had taken. Was, then, his name Meret—it is known that his name was Kaleb? The Holy One, blessed be He, said: "Kaleb, who *rebelled*† against the advice of the spies, shall take the daughter of Pharaoh, who had rebelled against the idolatries of her father."

"Who had been carried away into exile from Jerusalem" [ii. 6]. Said Rabha: He had not been exiled, but came by his own will.

"And he had brought up Hadassah." Is she called Hadassah and called Esther? We have learned in a Boraitha, R. Meir said: Her right name was Esther, but she was called Hadassah, because the upright are called thus, as it is written [Zechariah, i. 8]: "He was standing among the *myrtle*-trees."† R. Jehudah said: Her right name was Hadassa. Why was she called Esther? Because she *concealed*† her words, as it is written [ii.

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* *Jarod* is "to descend"; *Geder*, "fence"; *Habor*, "join"; *Sukka*, a "protection."

† *Jekan*, "hopes"; *El*, "God"; *Zanoach*, "abandon"; *Marod*, "rebel"; *Hadas*, "myrtles"; *Haster*, "conceal."

10]: "Esther told nothing." R. Nehemiah said: Her right name was Hadassah. Why was she called Esther? Because the nations called her for her beauty "star" (*αστηρ*). B. Azzai said: Esther was not tall or short, but of moderate size, like a myrtle. R. Joshua b. Kar'ha said: Esther's complexion was yellow, but she had grace.

"For she had neither father nor mother. And when her father and mother were dead, Mordecai had taken her to himself as a daughter." Why this superfluous repetition? Said R. Aha: To tell us that when the mother became pregnant her father died, and when she was born the mother died.

"And the seven maidens who were selected to be given to her" [ibid. 9]. Says Rabha: By them she counted the days to know when Sabbath was.

"In the evening she went and in the morning she returned" [ibid. 14]. Said R. Johanan: Among the blameworthy actions of that wicked man, it can be said in his praise that he had intercourse with women only by night.

"And Esther found favor" [15]. Said R. Elazar: Every nation thought her to belong to itself.

"And the king made a great feast" [ibid. 18]. And Esther still did not tell her nation; he lightened the taxes of all nations, and she did not tell; he sent presents to his governors, and she still did not tell; so he asked the advice of Mordecai how to discover it; and he told him that a woman becomes jealous only of another woman, and when he will take other women she will tell (as a favor to him). But this availed not either, as it is written: "And Esther had not yet told of her descent or her people."

R. Elazar said: It is written [Job, xxxvi. 7]: "He withdraweth not his eyes from the righteous." In reward of the modesty of Rachel, King Saul descended from her; and in reward of Saul's modesty Esther descended from him. Wherein was Rachel modest? It is written [Gen. xxix. 12]: "And Jacob told Rachel that he was her father's brother." Was he her father's brother? He was the son of her father's sister! That means, he asked her: Will you marry me? And she answered: Yes, but my father is a trickster, and he will deceive you. To this he answered: I am his brother in trickery. And she asked him: May an upright man do it? And he answered: Yea, it is written in II Samuel, xxii. 27: "With the pure thou wilt show thyself pure, and with the perverse thou wilt wage a contest." And he asked Rachel: How can he cheat me? And

she replied: I have an elder sister, and he will not let me marry before her. So he confided to her some signs by which to distinguish her. And when Leah was brought in her stead, Rachel said: My sister will be put to shame. So she confided to her the signs. And this is what is written: "And it came to pass that in the morning, Behold, it is Leah." That means, till the morning he knew it not. And therefore she was rewarded by Saul's being descended from her.

And what was Saul's modesty? It is written [II Sam. x. 16]: "Of the matter of the kingdom, whereof Samuel had spoken, he told him not." For this he was rewarded by Esther's being descended from him. R. Elazar said again: When the Holy One, blessed be He, decrees greatness for a man, it is for him and his descendants to the end of ages; as it is written [Job, xxxvi. 7]: "He doth establish them forever, and they are exalted." But if they become proud, he humbles them, as it is written [ibid. 8.]: "If they be bound in fetters."

"In those days, while Mordecai was sitting in the king's gate, Bigthan and Theresh . . . became wroth" [Esther, ii. 21]. Said R. Hyya bar Abba in the name of R. Johanan: The Lord makes the masters wroth against their servants, in order to do good to the upright; as it was in the case of Joseph, as it is written [Gen. xli. 12]: "And there was with us a Hebrew lad," etc. And he makes slaves wroth against their masters, to perform a miracle for the good of the upright. And who is it? Mordecai, as it is written: "And the thing became known to Mordecai." R. Johanan said Bigthan and Theresh were *Tarsees*, and spoke their own language, and said among themselves: "Since Esther has come into the court, we know no sleep. Therefore let us put poison into the king's drink, in order that he should die." And they knew not that Mordecai was of the Great Sanhedrin, every one of whom knew seventy languages. Then Bigthan said to Theresh: Our watches are not the same. He answered: I will watch for you too (and say you are sick). "And the thing was inquired into, and found true." What was found? That he had not been at his post.

"After these events" [ibid. iii. 1]. What events? Said Rabha: After the Holy One, blessed be He, had created a cure to their woe. Because Resh Lakish said: The Holy One, blessed be He, afflicts not Israel before He has prepared the cure for them in advance. As it is written [Hosea, viii.]: "Should I desire to heal Israel, then would the iniquity of

Ephraim be laid open." But with idolatrous nations it is different. First He smites them, then He heals them, as it is written [Is. xix. 12]: "And the Lord will thus strike Egypt, striking and healing."

"But it appeared too contemptible in his eyes to lay his hand on Mordecai alone" [6]. Said Rabha: In the beginning he wanted to lay hand on Mordecai alone, and later on the people of Mordecai, *i.e.*, the scholars, and later on all the Jews.

"Some one cast the Tur, that is the lot" [7]. We have learned in a Boraitha: When the lots fell on the month of Adar, Haman rejoiced very much, for he said: It is the month in which Moses died. But he did not know that on the 7th of Adar Moses had died, and also had been born.

"There is one people" [ibid. 8]. Said Rabha: There was no man who could calumniate so well as Haman. He said to the king: Let them be destroyed. And he answered: I am afraid of their God, lest he act toward me as toward others that did evil to Israel. Then Haman replied: They no longer observe their God's commandments. Then the king said: But there are among them rabbis, who observe them. Then he rejoined: They are one people, all are the same, no one observes. And if thou shouldst think I shall leave a void in thy kingdom, thou must know that they are scattered among all nations, and their extermination will not be perceptible. And perhaps thou wilt say, thou derivest a benefit from them. Know that they are like mules,* that are unproductive. And if thou shouldst imagine there is one country in which they dwell together, know that they are scattered in *all* the provinces of thy kingdom.

"And their laws are different from those of every people," *i.e.*, they do not eat with us, and do not intermarry with us.

"They do not execute the laws of the king." The whole year they find excuses not to give the taxes, saying: Now is Sabbath, now is Passover.

"It is no profit for the king to tolerate them." Because they eat and drink in a manner to disgrace the king, for if a fly fall into a goblet of wine, they will take it out and drink it; but if the king should touch the goblet of wine, they will pour it out.

"If it be pleasing to the king, let it be written to destroy them, and ten thousand talents of silver will I weigh out." Said

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* "Separated," מפורד; and פרד is "a mule."

Resh Lakish: It was known to Him who said one word, and the world was created, that in the future Haman would give talents of silver to buy Israel. Therefore He had commanded that in the same month they should give Shekalim of silver to the Lord, as we have learned in a Mishna that on the first day of Adar it was heralded that the Shekalim be given. And the king said to Haman: The silver is given to thee; that people also, to do therewith as it seemeth good in thy eyes.

Said R. Abba: The parable of Ahasuerus and Haman resembles what? Two men, one of whom had a hillock in his field and the other a valley (or pit); he who had the valley, when he saw the hillock, said: If one would sell it to me, I would buy it to fill up the valley. Then it happened they met, and he who had the valley said: Sell me the hill. And he answered: Take it for nothing, so that you remove it. (So Ahasuerus also had wanted to get rid of the Israelites, and when Haman came to him he gave them away for nothing.)

"And the king drew his signet ring from off his hand." Said R. Abba bar Kahana: The removal of this ring had a greater effect than forty-eight prophets and seven prophetesses, who preached that Israel should better its ways; but this made them really better.

The rabbis taught: Forty-eight prophets and seven prophetesses preached to Israel, and subtracted or added nothing, save the reading of the Megilla, which was instituted by the prophets alone. What basis had they for that? Said R. Hyya bar Abbin in the name of R. Joshua b. Kar'ha: They drew an *a fortiori* conclusion: if when Israel was delivered from slavery to freedom they sang, so much the more when they were saved from death to life. Why, then, do we not say Hallel on Purim? Because we do not say Hallel for the miracles that happened outside of Palestine. But the exodus from Egypt was also a miracle outside of Palestine? This is in accordance with the teaching of the following Boraitha: Till Israel entered Canaan, they said praises for all miracles, but since they occupied Palestine they sang praise only for miracles in Palestine. R. Na'hman, however, said: The reading of the Megilla, that is the same as Hallel. Rabha said: There, when they went out of Egypt, it was right to say Hallel, because it is said: "Praise, O ye servants of the Lord," and not Pharaoh's; but now, how could they say so on Purim, since they continued to be slaves of Ahasuerus?

Who were the seven prophetesses? Sarah, Miriam, Deborah, Hannah, Abigail, Huldah, Esther.

Sarah, as it is written [Gen. xi. 29]: "The father of Milcah and the father of Yiscah." And R. Itz'hak said: By Yiscah is meant Sarah. Why was she called Yiscah? Because that signifies *seeing*, and she was a *seer* through the Holy Spirit. Miriam, as it is written [Ex. xv. 26]: "Then took Miriam the prophetess, the sister of Aaron." Aaron's, and not Moses' sister? Said R. Na'hman in the name of Rabh: She had prophesied even when she had been yet but Aaron's sister, before Moses' birth, and she said: In the future my mother will give birth to a child that will deliver the Israelites. Finally, when Moses was born, the whole house was filled with light. And her father rose, and kissed her on her head, and said: Daughter, thy prophecy is fulfilled. Afterward, when he was cast into the river, the father asked: Daughter, what has become of thy prophecy? And this is what is written [ibid. ii. 4]: "And his sister placed herself afar off, to ascertain what would be done to him," *i.e.*, to know what would be the end of her prophecy.

Deborah, as it is written [Judges, ix. 4]: "And Deborah, a prophetess."

Hannah, as it is written [I Sam. ii. 1]: "And Hannah prayed and said, My heart is glad in the Lord, my horn is exalted through the Lord." My *horn* is exalted, and not my *flask*. David and Solomon, who were anointed with the horn, their dynasty endured; but Saul and Jehu, who were anointed with a flask, their dynasties did not last.

"There is none holy like the Lord, for there is none beside thee" [ibid. 2]. The expression for "none beside thee" is בלתך. Said R. Jehudah b. Menassia: 'Do not read בלתך, but לבלותך, because not as a human being is the Holy One, blessed be He: a human being is survived by his own work, but God survives all His works.*

"There is not any rock like our God," *i.e.*, there is no sculptor like our God. Do not read צור (rock), but צייר:† a man makes a statue, and cannot endow it with a soul; but the Holy One, blessed be He, makes an image within an image, and endows it with a soul and life, entrails, etc.

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* בלה is "to rot, fade, dwindle, wear out."

† Which means "painter, sculptor."

Abigail, as it is written [I Sam. xxv. 31]: "And when the Lord will do good unto my lord." She prophesied that he would be king.

Huldah, as it is said [II Kings, xxii. 14]: "Huldah the prophetess."

And Esther, because it is written [Esther, v. 7]: "Esther put on royalty."* It should be written, "royal apparel"? That means, she clothed herself in the Holy Spirit, and this is inferred from an analogy of expression; here it is written, "she put on," and in I Chron. xii. 18, "a spirit invested† Amassoi." As there the Holy Spirit is meant, so here.

Said R. Na'hman: Pride does not become women. Two women were proud, and they both had unlovely names: one was called Bee (Deborah) and one Cat (Huldah). Of Deborah it is written [Judges, iv. 6]: "And she sent and called Barak and went not herself"; and of Huldah it is said [II Kings, xxii. 15]: "Say unto the man that hath sent you to me"; and she did not say, "unto the king."

"And Mordecai ascertained all that had been done" [Esther, iv. 1]. What had been done? Said Rabh: That Haman had persuaded Ahasuerus.

"Then called Esther for Hathach" [5]. Said Rabh: Hathach is Daniel. Why was he called Hathach? Because he was *cut* from, or deprived of, his office.‡ Samuel says: On the contrary, he had the office, but he was called Hathach because all laws were *decided*§ by him.

"And they told Mordecai the words of Esther" [12]. But he went not himself to her? From this is inferred that an evil tiding must not be brought personally.

"And Mordecai went about" [17]. Said Rabh: What is meant by "went about"? He transgressed‖ by fasting on the first day of Passover; he fasted three days, and the third was Pesach. And Samuel says: It means "be passed." There was a piece of water between the court and Shushan, and he crossed it.

"And it came to pass on the third day that Esther put on royalty" [iv. 1]. Said R. Elazar in the name of R. Hanina: From this we infer that she clothed herself in the Holy Spirit, as explained above [66].

The same says again: The blessing of a common man shall

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* In Hebrew it is so. † In Hebrew it is the same expression. ‡ *Hathach*, "cut."
§ Which is in Hebrew expressed by *cutting*. ‖ *Abor* has all these meanings.

never be held light, because we find that two who were the greatest in their generations were blessed by two common men, and the blessings have been fulfilled, and they are David and Daniel. David, whom Araunah blessed, as it is written [II Samuel, xxiv. 23]: "And Araunah said unto the king, may the Lord thy God receive thee favorably." And Daniel, whom Darius blessed, as it is written [Dan. vi. 17]: "May thy God, whom thou worshippest, continually, truly deliver thee." The same authority says again: Do not hold light the curse of a common man. For Abimelech cursed Sarah, saying [Gen. xx. 16]: "This is to thee a covering to the eyes," and it happened to her children as is written: "And Isaac's eyes became dim" [Gen. xxvii. 1]. The same says again: He who repeats something said by another, in that person's name, brings salvation to the world, as it is written: "And Esther said it to the queen in the name of Mordecai." And thus Israel was saved. He says again: When an upright man is lost, he is lost to his generation; but not he himself. He is like to a pearl, which may be lost to the owner, but is and remains a pearl.

"Yet all this profiteth me nothing" [v. 13]. Said R. Elazar in the name of R. Hanina: That was because Mordecai once had a *πρεσβευταί*, and Haman had sold himself to him as a slave, as said R. Hisda. The same said again: In the future, the Holy One, blessed be He, will be Himself a crown on the head of every upright man, as it is written [Is. xxviii. 5]: "On that day will the Lord of hosts be for a crown of glory and a diadem of beauty." What is meant by "a crown of glory and a diadem of beauty"? It is to those who do His will, and hope for His glory. But shall we assume, to all of them? Therefore it is written: "Unto the residue of his people." That means, to those who are so modest that they consider themselves like the remnant of the people.

"And for a spirit of judgment" [ibid. 6]. To those who judge their own resolutions. "To him that sitteth in judgment." It is the judge who does justice. "And for strength." It is to those who conquer their own desires. "To those that drive back the battle." That means, the disputing about the Law. "To the gate." That means, the scholars who come to the gate of the houses of prayer and learning in the morning and the evening. The Severity of Justice said to the Holy One, blessed be He: Creator of the world, what is the difference between the Israelites and other nations? And He answered:

Israel studied the Torah, and the idolaters did not. To this Justice replied [ibid. 7]: "But these also are now stumbling through wine, and reeling through strong drink."

"And placed herself in the inner court of the king's house" [Esther, v. 1]. Said R. Levi, as she came to the house of idols, the Shekhina left her; so she began to say [Ps. xxii. 2]: "'My God, my God, why hast thou forsaken me?' Canst thou hold guilty one who does a thing unintentionally as if she did it intentionally, and what she is forced to do as if she did it voluntarily?"

"And it happened when the king saw Esther the queen" [2]. Said R. Johanan: Three angels came to her help at the same time: one angel raised her head, that the king might see her; one, who gave her grace; and one who made longer the sceptre which the king stretched out to her. How much did it become longer? Says R. Jeremiah: It was two ells long, and became twelve ells long. And others say sixteen, and others say twenty-four; and in a Boraitha we have learned sixty. Rabba bar Uphran said in the name of R. Eliezer, who had heard it from his Master, and his Master from *his* Master: It became longer two hundred ells.

"Let the king and Haman come this day unto the banquet" [v. 5]. The rabbis taught: Why did Esther invite Haman to the feast? R. Elazar says: She spread for him a net, as it is written [Ps. lxix. 23]: "May their table become a snare before them." R. Joshua says: She learned it in her father's house, as it is written [Prov. xxv. 21]: "If thy enemy be hungry, give him bread." R. Meir said that at the time when Ahasuerus would be at the feast, Haman should not get wind of the matter, and rebel. R. Jehudah said: She did it that it should not be noticed she was a Jewess. R. Nehemiah said: That the Israelites say not, We have a sister in the king's court. Therefore we need not pray to God. And R. Jose said: He should be near, if she wanted him. R. Simeon b. Menassia said: That He above should see that she was so humbled as to be forced to flatter her enemy, and should perform a miracle. R. Joshua b. Korba said: She meant to make herself agreeable to Haman, that the king might become jealous, and should kill both him and her, whereby Israel would be saved. R. Gamaliel said: Because she knew Ahasuerus was very fickle (and if she told him to kill Haman, he might repent; but if he should be in her house, it would be executed immediately). Said R. Gamaliel:

After all, we must still hear what the Median has said. As we learn in the following Boraitha, R. Elazar of Media said: She had intended to make Haman jealous of Ahasuerus, and Ahasuerus jealous of Haman. Rabha said: As it is written [in Prov. xvi. 18]: "Before downfall goeth pride." Abayi and Rabha both said: She intended to do as is written [in Jeremiah, li. 39]: "When they are heated I will prepare their drinking feasts and will make them drunken." Rabba bar Abahu once found Elijah the prophet, and asked him: What did Esther intend to do? And he answered: As all the Tanaim and all the Amoraim opined.

"In that night sleep fled from the king" [vi.]. He thought, What could be the meaning of Esther's invitation of Haman? Perhaps they conspired against him to kill him? Then he considered that some friend of his would be found to inform him. But then he said: Perhaps there are men who have rendered me services, and I have not rewarded them. Therefore people do not care to do me a kindness. As soon as this struck him, he commanded to bring to him the Chronicles. "And they were read" by themselves; *i.e.*, that place in the Chronicles turned up accidentally.

Said R. Ashi: R. Shila of the village Tamratha lectured: If what is recorded about Israelites below is not erased, so much the more what is written about them in Heaven above.

"There hath nothing been done with him" [3]. Says Rabha: They said so, not because they loved Mordecai, but because they hated Haman.

"Do this to Mordecai" [10]. And Haman asked: Who is Mordecai? And the king answered: The Jew. And he said again: There are many Jews by the name of Mordecai. And he answered: The one that sits at the gate of the king. He said: For this man it will suffice if thou wilt give him a village, or the tolls of a river. And the king said: Give him this too. Therefore it is written: "Leave out nothing of all that thou hast spoken." "And Haman then took the apparel and the horse" [11]. As Mordecai saw that Haman came to him on the royal horse, he trembled, and said to the rabbis who sat near him: This man probably comes with an order to put me to death. Go away from here, that you may not get harmed through me. Mordecai wrapped himself, and stood up to pray. When Haman entered, he sat down and waited till Mordecai ended the prayer. Then Haman asked Mordecai: What was

your occupation when I entered? He replied: We studied the laws of a handful [Lev. vi. 8]. We deliberated what a handful should be. Haman answered: Your handful, which you have offered to God, has outweighed the ten thousand talents that I had proposed to the king, for your destruction. Then said he to him: Put on the royal apparel and mount the horse, for the king wants you. Mordecai said: I must not put on the royal garments before I wash myself. Haman took him himself to the bath, and washed him, and cut his hair. Thereafter, he bade him mount the horse. He replied: I cannot; I am too weak from fasting. So Haman bent himself, and helped him to climb the horse, by letting him step on his back.

"And proclaimed before him: Thus shall be done unto the man," etc. [11]. Haman's daughter heard this, and saw from a distance a man riding on a horse. She thought her father sat on the horse, and Mordecai led him. When they came nearer, and she perceived her mistake, she threw herself from the balcony, and died. And this is what is written: "Haman hastened to his house, mourning, and having his head covered"—mourning over his daughter, and his head covered, because of the disgrace.

"And Haman related to Zeres his wife and to all his friends" [13]. And afterward it is written: "Then said unto him his wise men and Zeres his wife." First they are called friends, and then wise men? Said R. Johanan: A man even of the nations who says an intelligent thing may be called wise.

"If Mordecai be of the seed of the Judeans." They said: If Mordecai is descended from other tribes, you will get the better of him; but if he be descended from one of these tribes—Jehudah, Benjamin, Ephraim, Menasseh, then you cannot overcome him. From Jehudah because it is written [Gen. xlix. 8]: "Thy hand shall be on the neck of thy enemies"; and the other three, because it is written [Ps. lxxx. 3]: "Before Ephraim, Benjamin, and Menasseh, awaken thy might."

"But thou wilt surely fall before him." R. Jehudah b. Ilai lectured: What is meant by "surely fall"? His wise men and wife said to him thus: This nation [Israel] resembles earth, and resembles stars; when they sink they sink to the dust, and when they rise they rise to the stars.

"When the king's chamberlains arrived" [Esther, vi. 14]; "and they hastened." From this we infer that they brought him in a hurry.

"For we have been sold, I and my people . . . for the adversary regardeth not the damage of the king." She said to him: This enemy is not worth the damage he causes to the king: when he became jealous of Vashti, he killed her; and now he becomes jealous of me, and wants to kill me too.

"And the king arose in his fury . . . and when the king returned" [vii. 7, 8]. From this we may infer that as he had gone out in fury, so he returned in fury. "Haman was fallen upon the couch." It is not written "fell," but "was fallen," from which we may infer that an angel came and pushed him. And the king said: Woe inside, and woe outside!

"Then said Harbanah" [9]. Said R. Elazar: Harbanah the wicked had been among those who had given the advice to make a gallows for Mordecai; but as he saw his plan not fulfilled, he deserted Haman and went over to Mordecai's friends, and this is written [Job, xxvii. 22]: "And will cast upon him, and have no pity; out of his hand will surely escape."

"And the fury of the king was appeased" [xii. 10]. The expression is שככה, which is plural. (What signifies the plural? His anger about Vashti and about Esther was appeased.)

It is written [Gen. xlv. 22]: "To all of them he gave to each changes of raiment; but to Benjamin he gave . . . five changes of raiment." Is it possible that what gave trouble to Joseph's father, as Rabba bar Me'hassia said in the name of Rabh (Sabbath, p. 19), *he* (Joseph), the righteous man, should do? Said R. Benjamin b. Jepheth: That was a hint that from him would descend a man who would wear five royal garments, as it is written [Esther, viii. 15]: "And Mordecai went out in a royal apparel of blue and white, and with a great crown of gold, and with a cloak of fine linen and purple."

"And he fell upon his brother Benjamin's neck* . . ." [Gen. xlv. 14]. How many necks had he—he had only one? He wept for the two Temples, that would be situated in Benjamin's land, and would be destroyed. "And Benjamin wept upon his neck." He wept for the Tabernacle of Shiloh, that would be in Joseph's part of the land, and would be destroyed. "And behold, your own eyes see, and the eyes of my brother Benjamin" [Gen. xlv. 12]. Said R. Elazar: Joseph said to them: Just as I have nothing in my heart against Benjamin, who took

* In the Hebrew text the plural is used.

no part in my sale, so I have nothing against you. "It is my mouth that speaketh unto you." What I speak with my mouth, I think in my heart. "And to his father he sent after this manner [ibid. 23] . . . with the best things of Egypt." What is meant by the best things of Egypt? Said R. Benjamin b. Jepheth in the name of R. Elazar: He sent him old wine, which when old men drink they have their minds invigorated. "And Israel bowed himself upon the head of the bed" [xxxvii. 31]. The same authority said: When the fox is at the head, the people bow to him. "And he comforted them, and spoke kindly unto them" [l. 21]. Said the same authority again: He told them such things as are agreeable to be heard; namely, ten lights could not extinguish one, much less could one light put out ten.

"For the Jews there was light, and joy and gladness and honor" [Esther, viii. 16]. Said R. Jehudah: By light is meant the Law, as it is written [Prov. vi. 23]: "For the commandment is a lamp, and the law is light." "Joy," that is, a holiday, as it is written [Deut. xvi. 14]: "And thou shalt rejoice on thy feast." "Gladness" means circumcision, as it is written [Ps. cxix. 162]: "I am rejoiced over thy promise." And by "honor" is meant Thephilin, as it is written [Deut. xxviii. 16]: "And all the nations of the earth shall see that thou art called by the name of the Lord, and they shall be afraid of thee." And we have learned in a Boraitha, R. Eliezer the Great said: By this are meant the Thephilin on the head.

"And Parshandatha" [Esther, ix. 7]. R. Adda, from the city of Jopha, said: The names of the sons of Haman and the phrase "and the ten" must be pronounced in one breath. Why? Because their souls left their bodies all at the same time. Said R. Johanan: The Vav of Vayzatha must be made longer, that it look like a gallows, for all ten were hanged on one gallows-tree.

"Words of peace and truth" [30]. Said R. Tanhum, and according to others R. Ashi: We may infer from this that it should be written like the Law of Truth; as that must be written on ruled parchment, so this.

"And the order of Esther confirmed" [32]. Said R. Johanan: Read together the former verse and this: "The matters of the fastings, the prayers, and the order of Esther confirmed."

"For Mordecai the Jew was the second in rank after King Ahasuerus, and great among the Jews, and acceptable to the

multitude of his brethren" [x. 3]. To the multitude, but not to all? From this we may infer that a part of the Sanhedrin turned away from him.

R. Joseph said: The study of the Law is greater than the saving of lives, for before Mordecai was mentioned the fifth, and later the sixth. It is written [Ezra, ii. 2]: "Who came with Zerubbabel, Jeshua, Nehemiah, Serayah, Realayah, Mordecai, Balshan;" and later, [in Nehemiah, vii. 7] he is mentioned the sixth. (Rashi explains this thus: From the return of Ezra to the return of Nehemiah twenty years elapsed, and meanwhile Mordecai became of high rank, but before he had been more of a scholar.)

Rabh, and according to others R. Samuel b. Martha, said: The study of the Law is of more importance than the building of the Temple; for so long as Barach b. Neriah lived, Ezra returned not to the land of Israel. Said Rabha in the name of R. Itz'hak b. Samuel the son of Martha: The study of the Law is more important than the honoring of the parents; for in all the years that Jacob passed with Shem and Eber and studied the Law, he was not chastised for failing during that time to honor his father and his mother.*

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* The Gemara proceeds to prove this by certain calculations of the ages of Ishmael, Itz'hak, and Jacob, deduced from scriptural passages; the proof being very flimsy and complicated, we have omitted it.

## CHAPTER II.

### CONCERNING THE READING OF THE MEGILLA—BY WHOM, WHERE, AND IN WHAT LANGUAGES.

MISHNA: Anyone who reads the Megilla in an irregular manner does not fulfil his duty; nor if he reads it by heart, or translated in any language which he does not understand. It is lawful, however, to read to those that know no Hebrew in a foreign language which they understand; if they have heard it in (the original language with) Assyrian characters, they have also done their duty (though they have not understood the Hebrew). Should anyone read it so as to make long pauses between the parts and slumber meanwhile, he will have fulfilled his duty. If anyone should read the Megilla while writing, expounding, or correcting it, with the intention of fulfilling his duty, it is fulfilled; but not, if he had no such intention. If the Megilla was written with paint, ruddle, gum, vitriol black, on papyrus, or on rough vellum, the duty is not fulfilled, but it must be written in Assyrian characters, in a book, on good parchment, and with ink.

GEMARA: Whence do we deduce this? Said Rabha: It is written [Esther, ix. 28]: "And these days are remembered and celebrated." The remembering is compared to the celebrating, as the celebration cannot be earlier, because the 15th day cannot precede the 14th; so in remembering, the second chapter cannot be read before the first. We have learned in a Tosephtha that the same is the case with the Hallel Prayer, and the saying of Shema. And whence is this deduced? Said Rabba: Because it is written [Ps. cxiii. 3]: "From the rising of the sun unto his going down, the name of the Lord is praised" (as the sun does not go backward, so the praises of the Lord). R. Joseph said: From the following passage [Ps. cxviii. 24]: "This is the day which the Lord has made" (as the day progresses without irregularity, so is to be the prayer). R. Ivia says: From the following passage [ibid. cxiii. 2]: "*Let* the name of the Lord be blessed" (*let* it be as it is). And R. Na'hman

bar Itz'hak, and according to others R. A'ha bar Jacob, says: From [ibid. 2]: "From this time forth and for evermore" (as time progresses regularly, so should the prayer be).

The rabbis taught: Whence do we deduce that we should mention the Patriarchs in the prayer? Because it is written [Ps. xxix. 1]: "Ascribe unto the Lord, ye sons of the mighty" (by mighty are meant the Patriarchs). And whence do we deduce that we should mention in the prayer the power of God? Because it is written [ibid.]: "Ascribe unto the Lord glory and *strength.*" And whence do we deduce that His Holiness must be mentioned? Because it is written [ibid. 2]: "Ascribe unto the Lord the glory of his name; bow down to the Lord in the beauty of *holiness.*" And from what did they see that we should pray for Wisdom after Holiness is mentioned? Because it is written [Is. xxix. 23]: "Then will they sanctify the Holy One of Jacob, and the God of Israel will they reverence"; and in the succeeding verse: "They also that were erring in spirit shall acquire understanding." And why do we mention Repentance after Wisdom? Because it is written [Is. vi. 10]: "Lest his heart understand, and he will repent, and be healed." If so, we ought to mention Healing after Repentance? It would not be proper, because it is written [ibid. lv. 7]: "And let him return unto the Lord, and he will have mercy upon him; and unto our God, for he will abundantly pardon." Pardon is therefore prayed for after Repentance. But why is preference given to this verse over that verse? There is another passage [Ps. ciii. 3]: "Who forgiveth all thy iniquities, who healeth all thy diseases. Who redeemeth from the pit thy life." Shall we assume that Redemption and Healing come after Forgiveness—in the verse above quoted it is written, "he will repent and be healed"? Not healing from disease is meant, but the forgiveness is a healing. And why did they mention Redemption in the seventh Benediction? Said Rabha: Because it is known they will be redeemed in the seventh year (in Sanhedrin it is said that in the last of the seven years before Messiah they will be redeemed). And why do they pray for Healing in the eighth Benediction? Said R. A'ha, because circumcision takes place on the eighth day, and requires a healing. And why do they pray for the Blessing of the Year in the ninth Benediction? Said R. Alexandri: That is for those who raise the prices, as it is written [Ps. x. 15]: "Break thou the arm of the wicked and of the bad man." And this the ninth psalm. (This whole psalm, Rashi

explains, speaks only of people buying up grain to raise its price, and he infers it from the verse: "He lieth in wait to snatch up the poor; he snatcheth up the poor as he draweth him into his net." And why is it considered the ninth psalm? Because they consider the first two psalms as one.) And why do we pray for Return from the Exile after the Benediction of the Year? Because it is written [Ezek. xxxvi. 8]: "But ye, O mountains of Israel, ye shall send forth your boughs, and your fruit shall ye bear for my people Israel; for they are near at hand to come." And as soon as there will be a Return from Exile, there will be the Punishment of the Wicked, as is written [Is. i. 25]: "I will turn my hand against thee, and purge away as with lye thy dross." And further [26]: "I will restore thy judges as at the first, and thy counsellors as at the beginning." After the Judgment of the Wicked there shall be no sinners, as is written [28]: "But destruction shall come over transgressors and sinners together." And those that forsake the Lord shall perish, and when sinners cease to exist, the horn of the righteous is exalted; as it is written [Ps. lxxv. 11]: "And all the horns of the wicked will I hew off, but the horns of the righteous shall be exalted." And righteous proselytes are included among them, as it is written [Lev. xix. 32]: "Before the hoary head shalt thou rise up, and honor the old man." And soon after: "If a stranger sojourn with thee, ye shall not vex him." And where will be exalted their horn? In Jerusalem. As it is written [Ps. cxxii. 6]: "Pray ye for the peace of Jerusalem: may those that love ye prosper." When Jerusalem will be rebuilt, David will come, as it is written [Hosea, iii. 5]: "After that will the children of Israel return and seek for the Lord their God and David their king." And with David will come Prayer, as it is written [Isaiah, lvi. 7]: "Even these will I bring to my holy mountain, and make them joyful in my house of prayer." And with Prayer comes Service in the Temple, as it is written further: "Their burnt-offerings and their sacrifices shall be accepted upon my altar." And after service comes a thanksgiving offering, as it is written [Ps. l. 23]: "Whoso offereth thanksgiving glorifieth me." (The order of the separate parts of the Eighteen Benedictions has already been laid down.) And why do they say the Blessing of the Priests after Thanksgiving? Because it is written [Lev. ix. 22]: "And Aaron lifted up his hands toward the people, and blessed them, and came down after he had offered the sin-offering and burnt-offering and peace-offer-

ing." And perhaps he blessed them *before* the service? Nay, we do not suppose so; for it is written, "he came down *after* he had offered"—not "to offer," but *after* offering. If so, let it be said before the Thanksgiving? It would not be proper, because it is written: "Whoso offereth the thanksgiving glorifieth me." And why is this verse preferred to that? Because common sense tells that Service and Thanksgiving are the same thing. And why do we pray for Peace after the Blessing of Priests? Because it is written [Num. vi. 27]: "And they shall put my name upon the children of Israel, and I will bless them." And the blessing of the Holy One, blessed be He, is Peace, as it is written [Ps. xxix. 11]: "The Lord will bless his people with peace."

(Let us see:) If one hundred and twenty elders, and among them many prophets, have arranged the Eighteen Benedictions, why have we learned in another place that Simeon of Peculi had ordered them? They had been forgotten, so he reintroduced the order.

After these Eighteen Benedictions, it is not permitted to bless the name of the Lord more, as R. Elazar said: It is written [Ps. cvi. 2]: "Who can utter the mighty acts of the Lord? Who can publish all his praise?" *i.e.*, who is fit to utter? He who can publish *all* his praise (and as no one can do it, only the prayers that have been ordained should be said).

Rabba bar bar Hana said in the name of R. Johanan: He who speaks too much in praise of God is uprooted from the world, as it is written [Job, xxxvii. 20]: "Can all be related of him when I speak? Or if a man talk even till he be swallowed up?" R. Jehudah of the village Geboriah, according to others of Gibor-Hail, lectured: It is written [Ps. lxv. 2]: "For thee praise is silent."* Silence is the cure to everything: when R. Dima came from Palestine, he said that in the West they say: "A word is worth a *sela*, and silence two."

"*If he reads it by heart.*" Whence is this deduced? Said Rabha: There is an analogy of expression in the word "memorial." Here it is written [Esther, ix. 28]: "These days are remembered"; and there [Ex. xvii. 14]: "Write this for a memorial in a book." As there it is written "in a book" so here it should be read out of a book. How is it known that loud reading is meant—perhaps only looking through the book?

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* So the Talmud translates דומיה.

It would not be reasonable; as a Boraitha states: It is written [Deut. xxv. 17]: "Remember"; and it cannot mean "in thy heart," because it is written again [ibid. 19]: "Thou shalt not forget." That means, certainly, in thy heart. Consequently "remember" must mean orally.

"*Or translated*," etc., *i.e.*, when both the language and the characters are foreign.

"*To those who know no Hebrew*," etc. But it is just stated that by hearing it read in a foreign language one has not fulfilled his duty. Rabbi and Samuel both said: By this Greek is meant. How is the case? If it was written in Assyrian (characters), and one read it in Greek, then he reads it by heart? Said R. A'ba in the name of R. Elazar: That means, when it is written in Greek, and he reads it in Greek.

The same authority says again: How is it known that God called Jacob "El" (one of the names of God)? Because it is written [Gen. xxx. 20]: "And called it El, the God of Israel," which he interprets, "who called him El, the God of Israel." For if the altar was meant, the verse would say, "and Jacob called *it*." An objection was raised: If one read the Megilla in Coptic, in Old Hebrew, Elamic, Median, or Greek, one has not fulfilled his duty? What is said above, that Greek is lawful, is like another Boraitha which says that if one has read in Coptic to Coptic, Hebrew to Hebrews, Elamic to Elamite, or Greek to Greek Israelites, they have done their duty. If so, why do Rabh and Samuel say the Mishna means only Greek: let them say it means all foreign languages may be read to those who understand them? Rabh and Samuel mean that even to those who do not comprehend it, it may be read in Greek. But in the Boraitha it is said, that only if Greek is read to Greek Israelites it is lawful? Rabh and Samuel are in accordance with Rabban Simeon Gamaliel, who says that even the Pentateuch was allowed to be written only in Greek, not in another tongue. If so, let them say, more briefly, the Halakha prevails according to R. Simeon b. Gamaliel? If they said so, we would think it bears reference only to other books; but as of the Megilla it is written, "according to its writing," we would think only in Assyrian characters it is allowed, and not Greek, therefore they come to teach us that even here Greek is proper.

"*One who has it read to him from Assyrian characters.*" But he does not comprehend it? What is the use? It is like the case of women and common people, who do not understand

it either, yet they are fulfilling their duty. Rabbina opposed: Why do you compare him to women and common people, and we ourselves, do we understand what is meant by האחשתרנים בני הרמכים [viii. 10]? But as it does not matter, provided we understand the proclamation of the miracle, so it also matters not in their case.

"*Long pauses*," etc. (The term used in the Mishna is "Serugin.") The rabbis did not understand the expression of the Mishna, סירוגין, until they heard that the servant-maid of Rabbi, when she saw that the rabbis came to Rabbi's house in small detached parties, at intervals, said to them: Why do you come—Serugin, Serugin?* The rabbis taught: If one made pauses in his reading, he has fulfilled his duty; but if he read it irregularly, he has not; R. Muna says in the name of R. Jehudah: Even when one has made pauses he has done his duty, provided they were not long enough for the reading of the whole Megilla, but otherwise he must begin again from the beginning. Said R. Bibbi: Rabh said that the Halakha does not prevail according to R. Muna, and Samuel says that it does. Said R. Joseph: Hold in thy mind what R. Bibbi has said, for Samuel decides more vigorously. When a single authority holds vigorously, even when the majority differ from him (and it is an old rule, that where Samuel and Rabh disagree the Halakha prevails according to Rabh, when the laws are not about pecuniary matters).

The rabbis taught: When the scribe who had written the Megilla had omitted letters or sentences, but the reader read it like an interpreter, and supplied what was missing, the duty was done.

The rabbis taught: If the reader has omitted one verse, he should not say: When I shall have read the entire Megilla I shall then read the omitted verse; but he should commence with that verse, and read further. The same is it when one comes to the house of prayer, and finds the first half of it gone through by the congregation, he should not say: "I will read with the congregation to the end, and then read the first half"; but he should begin to read from the beginning, and read to the end.

"*And slumber*." What is meant by slumbering? It means not sleeping, but being drowsy, so that when he is called, he an-

* See Rosh-Hashana for other cases where the rabbis did not understand till they heard the explanation by Rabbi's maid.

swers; but to answer intelligently he is not able before he is called a second time.

"*If anyone should read whilst writing*," etc. How was the case? If he had arranged the verses beforehand, and first read, then copied them, even if he had the intention, what is it? It is reading by heart. Shall we say, if he was writing verse by verse and reading them, he has not fulfilled his duty either, because by R. Helba in the name of R. Hama bar Guria, quoting Rabh, said: The Halakha prevails according to him who said that legally the whole Megilla must be written and be before him? This is meant: An entire Megilla lay before him, and he read each verse, and copied it.

Rabba bar bar Hana said in the name of R. Johanan: Even one letter must not be written, unless copied from a Megilla. An objection was raised: R. Simeon b. Elazar said: It happened to R. Meir, that he went to make the year intercalary in Asia, and there was not any Megilla; so he wrote it down from memory, and then read it to the community. Said R. Abahu: With R. Meir it is different: Of R. Meir was said the 25th verse of chap. iv. of Proverbs: "Thy eyelids see straight out before thee" (he saw the Megilla in his mind as clearly as with his eyes). Ramai bar Hama asked R. Jeremiah of Diphthi: What is meant by this? He answered him: The words of the Law, of which it is said [Prov. xxiii. 5]: "When thou lettest merely thy eyes fly over it, it is no more." But in the case of R. Meir it was as if he saw it with his eyes, so was it engraved in his memory.

R. Hisda found R. Hananal writing Scripture, not from a copy, and he said to him: It is true, thou art fit to write the entire Bible from memory; but the sages have said, nevertheless, that it is unlawful to write even one letter thus. From what we hear that he was fit for writing it all by heart, and we see that he knew it also by heart, yet he was not allowed to do so (how then could R. Meir do it?). In the time of necessity, when there was no other Megilla, it was different.

'*If the Megilla was written with . . . vitriol black.*" Said Rabba bar bar Hana: This means that which is used by shoemakers for blackening new shoes.

"*Rough vellum*," when the hide has been already salted, but not polished.

"*But it must be written in Assyrian characters.*" Why? Because it is said, "according to their writing."

"*In a book and with ink.*" Whence do we deduce this?

From an analogy of expression. It is written [Esther, ix. 29]: "Then wrote Esther"; and [Jer. xxxvi. 18]: "Then said Baruch unto them, With his mouth did he utter clearly all these words unto me, and I *wrote* them in the book with ink."

MISHNA: If an inhabitant of an open town had gone to an anciently walled town, or *vice versa*, if he intends to return to his place, he shall read it at the same time they read in his place; if not, he may read with the inhabitants of the place in which he is. From where is it necessary to commence the reading of the Megilla, so as to fulfil one's duty? R. Meir says: It is obligatory to read the whole. R. Jehudah says: It suffices if he commence at "a Jewish man" [Esther, ii. 5]. R. Jose says: Even if from "after these events" [ibid. iii. 1].

GEMARA: Said Rabha: "If he intends to return." That means, to return on the night of the 14th; but if he does not purpose to return on that night, he may read with the inhabitants of the place where he is. And he said again: Whence do I deduce this? Because it is written [Esther, ix. 19]: "Therefore do the Jews of the open towns, that dwell in open towns." Let us see. It is stated already, "The Jews of the open towns." Why is it repeated, "that dwell in open towns"? He comes to teach us, that if one dwells even one day there, he is considered as an inhabitant of an open town. This is right about open towns, but how do we know that the same applies to walled towns? That is common sense: If one who dwells a day in an open town is considered an inhabitant thereof, the same must be in the case of a walled town.

And Rabha says again: If a countryman has gone into a town, he must read with the inhabitants, for why was he permitted to read on the Assembly-day? That he should not trouble himself to come to the town; but if he is there, he must read in any case, whether he intends to stay there or not.

"*From where is it necessary to commence*," etc. We have learned in a Boraitha: R. Simeon b. Jechayi said: He may begin from, "in that night" [chap. vi. 1].

Said R. Johanan: All these different opinions have been deduced from the following verse: It is written [ix. 29]: "Then wrote Esther the queen, . . . with Mordecai the Jew, with all due strength." Those who say the entire Megilla should be read, mean the whole might (strength) of Ahasuerus; he who says it should be begun from "a Jewish man," means the whole power of Mordecai; and he who says from "after these events," thinks

the power of Haman; and he who says from "in that night," means the whole power of the miracle should be related. Said R. Helba in the name of R. Hama bar Guria, quoting Rabh: The Halakha prevails according to him who says: The whole Megilla must be read. And even he who says from "a Jewish man" also means it should be *written* wholly, if not read. The same says again: The Megilla is called "a book," also "a letter." That means, it is called a book because if it is stitched together with threads of flax it is invalid, as the Holy Scrolls are; and it is called a letter because if only three veins are used it is yet valid (unlike the Holy Scrolls). Said R. Na'hman: This is when every vein is triple (triply stitched).

R. Jehudah said in the name of Samuel: If one has read the Megilla from the Bible, in which it is among other books, he has not fulfilled his duty, as the Megilla should be separated. Said Rabha: This is when the scroll of the Megilla was like the other scrolls; but if it was a little longer or shorter and distinguishable from them, it does not matter.

R. Hyya bar Abba said in the name of R. Johanan: If one reads the Megilla bound with other books, he has not done his duty. Those who heard him repudiated him, saying: This is only the case when it is read in public; but an individual may do so. The same says again in the name of the same authority: The law that, when the Holy Scrolls are stitched together, margins must be left at the top and at the bottom is a Halakha from Moses on Sinai. And those who heard him repudiated him,* saying: It is not a Halakha from Moses on Sinai, but it has been ordered only that the parchment may not be torn. The same says again in the name of the same authority: If in the case where Moses and Elijah were, there had been a chink as narrow as a needle, they would not have remained alive when the Lord passed, as it is written [Ex. xxxiii. 20]: "For no man can see me and live." The same says again in the name of the same authority: It is written [Deut. ix. 10]: "And on them was written according to all the words which the Lord had spoken with you on the mount." We infer from this that God revealed to Moses

* Rashi explained this, that not others objected, but he himself retracted his assertion. But this seems to us incorrect: firstly, as the word "repudiated," in the original, is in the plural; and secondly, when R. Hyya bar Abba said in R. Johanan's name he no longer lived, how could he contradict himself at that time? Therefore we translate it as it seems to us right. See our "Ursprung und Entwickelung des Philacterien-Ritus beiden Tuden," p. 140, where this passage is explained.

all the particulars of the Bible (*i.e.*, what words signify that something is to be included or to be excluded), and of the particulars the Gemara deduces from the Mishna, and what the scribes will discover later. And what is it? The reading of the Megilla.

MISHNA: All are qualified to read the Megilla, except a deaf person, fool, or a minor. R. Jehudah, however, allows it to be read by a minor.

GEMARA: Who is the Tana that holds that even when a deaf man has already read it the duty is not fulfilled? Said R. Mathna: The Tana is R. Jose of the following Mishna in Berachoth: "He who read Shema, and did not himself hear what he read, he has done his duty. R. Jose, however, said, he has not." How do we know that our Mishna is in accordance with R. Jose, who says that even if he has done it already, he has not fulfilled his duty. Perhaps it is in accordance with R. Jehudah, who says that he must not commence; but if he has done it already, he has done his duty? It would not be reasonable; because the deaf person is mentioned together with the fool and the minor, and as when the last two have done it the duty has not been fulfilled, so it must be with the deaf.

"*R. Jehudah allows a minor.*" We have learned in a Boraitha: R. Jehudah said: When I was a minor I read the Megilla in the presence of R. Tarphon and the elders in the city of Lud. The sages answered: One adduces no proof from a minor. We have learned in another Boraitha: Rabbi said: When I was a minor I read the Megilla in the presence of R. Jehudah. The sages said to him: One cannot adduce a proof from a man who permitted it (because the majority differed from him). Why have they not answered here also. One brings no proof from a minor? They meant it; firstly, he was a minor, but even if he were not, they would not recognize it as a proof, because R. Jehudah was an individual exception.

MISHNA: The following religious acts may not be done before sunrise on the day on which they are obligatory: To read the Megilla, to circumcise, to bathe (on the seventh day of the purification of an unclean or defiled person), to sprinkle (the unclean as a purification); nor may a woman (who had experienced her menses beyond the usual time, and who was to) wait a day (before she might bathe) do so before the sunrise of that day. But if any of these acts has been done at any period after daybreak, it is valid.

GEMARA: Whence do we deduce this? It is written

[Esther, ix. 28]: "And these days are remembered and celebrated." The *days*, and not the nights. Shall we assume that this is in contradiction to R. Joshua b. Levi, who said above (p. 7.) that one must read the Megilla in the evening, and repeat it on the day? What this Mishna teaches, that before sunrise the Megilla must not be read, refers to the second time, *i.e.*, the reading by day.

"*To circumcise.*" Because it is written [Lev. xii. 3]: "On the eighth *day* shall the flesh of his foreskin be circumcised."

"*To bathe, to sprinkle.*" Because it is written [Num. xix. 19]: "And the clean person shall sprinkle upon the unclean . . . on the seventh *day*"; and bathing is equal to sprinkling.

"*After daybreak.*" Whence is this deduced? Said Rabha: Because it is written [Gen. i. 5]: "And God called the light day"; and the beginning of the light is called day. If so, then, as it is written, "and the darkness he called night," let the time when it begins to be dark be called "night"; and we have a tradition that until the stars appear it is not reckoned to be night. Therefore, says R. Zera, infer it from the following passage [Nehemiah, iv. 15]: "So we labored at the work, while the half of them were holding the spears from the rising of the morning dawn till the stars appeared.

MISHNA: The following religious acts may be done during the whole of the day (on which they are obligatory): The reading of the Megilla, of the Hallel; the sounding of the cornet; the handling of the Lulab; the prayer at the additional offering; the additional offering; the confession of sin on sacrificing the bulls, the confession to be made on bringing the second tithe, the confession of sin by the high-priest on the Day of Atonement; the imposition of hands (on the sacrifice); the slaughtering of a sacrifice; the waving of the offering; the bringing it to the altar; the taking of the handful of flour [Lev. ii. 2]; the burning with incense of the fat of a sacrifice on the altar; the pinching or wringing off of the head of fowls brought at sacrifices [Lev. i. 15]; the receiving of the blood of a sacrifice; the sprinkling thereof on the altar; the giving the bitter water to drink to a woman suspected of adultery; the striking off of the heifer's neck [Deut. xxi. 4], and the purification of a leprous person. The following acts may be done during the whole of the night: The cutting of the sheaves for the "omer," and the burning of the fat and members of a burnt-offering on the altar [Lev. vi. 9]. This is the rule: Whatever is commanded to

be done by day may legally be done during the whole of the day; and whatever is commanded to be done by night, it is lawful to do during the whole of the night.

GEMARA: Whence do we deduce this? Because it is written: "Those days are remembered and celebrated." The reading of Hallel, as is written [Ps. cxiii. 3]: "From the rising of the sun unto the going down." R. Joseph says: As it is written [ibid. cxviii. 24]: "This is the day which the Lord hath made." "The use of the Lulab," because it is written [Lev. xxiii. 40]: "And ye shall take unto yourselves on the first *day*." "The sounding of the cornet," because it is written [Num. xxix. 7]: "A *day* of blowing of the cornet shall it be unto you." "And the additional offering," as it is written [Lev. xxiii. 37]: "Everything upon its day." And the prayer at the additional offering is like the offering itself.*

"*This is the rule*," etc. What is it meant to include? The putting away of the spoon of frankincense, and the taking it away (because the old must be taken away at the same time that the new is brought, as will be explained in Tract Mena'hoth).

"*By night*," etc. What is it meant to include? The eating of the Paschal lamb, which is only before sunrise; and the Mishna is not in accordance with Elazar b. Azariah (as will be explained in Tract Mena'hoth).

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* The remaining laws of the Mishna are also deduced here from verses or from analogies of expression; but they are found in other and more proper places, and are therefore here omitted.

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APPENDIX TO FOOTNOTE ON PAGE 53.

Jastrow's Dictionary has just reached us, and we are surprised not to find under sub. מחי the quotation ומחו, repeated twice on page 19b, old ed., mentioned by us in our note, which means they struck the *Halakha* on its head. We fail to find any reason for this omission, as it seems to us very important that the quotation should occur.

## CHAPTER III.

### REGULATIONS CONCERNING THE POSTURE OF THE READER OF THE MEGILLA, AND HIS CLOTHES, BEFORE PRAYER.

MISHNA: The Megilla may be read either sitting or standing, by one person only, or by two persons at the same time. They alike fulfil their duty. In places where it is usual to say a blessing (after reading it) it is obligatory to say it, but not when it is not customary. Three men are called to read in the Holy Scrolls on Mondays and Thursdays; and in the afternoon of the Sabbath neither more nor less than that number may be called, nor shall any section from the Prophets then be read. He who commences the reading of the Holy Scrolls shall pronounce the first benediction before reading it, and he who concludes the reading shall pronounce the last benediction after reading it.

On the first of the month, on the intermediate days of the festivals, four men are to be called. This number may neither be added to nor diminished, nor shall any section of the Prophets then be read (the first of these men shall say the first blessing before reading, and the last who concludes the reading shall say the last blessing after reading). This is the rule: On all days, when an additional offering is prescribed, which are nevertheless not festivals, four men are to be called; five on festivals; six on the Day of Atonement; and seven on the Sabbath. This number may not be diminished, but it may be increased, and a section of the Prophets must be read on those days. The first and the last readers shall pronounce the benedictions before and after reading.

GEMARA: We have learned in a Boraitha: It is not so with the reading of the Torah, which can be read only when the congregation sits. Whence do we deduce this? Said R. Abahu: It is written [Deut. v. 28]: "But as for thee, stand thou here by me." From this we infer, he should stand, and the congregation should sit. He says again: How do we know that the Master should not teach the disciple when he sits on the bed, and the disciple on the floor? Because it is written: "Stand by (with) me" (as I stand so you should stand).

The rabbis taught: From the time of Moses till Rabban Gamaliel the Law was studied standing; when R. Gamaliel died, sicknesses came into existence, and they began to study sitting. And this is what we have learned in a Mishna elsewhere, that since R. Gamaliel had died the honoring of the Law had ceased.

One verse says [Deut. ix. 9]: "I sat on the mount"; and another [ibid. x. 10]: "I stood on the mount." Said Rabh: He stood when he studied, and he sat when he repeated. R. Johanan, however, said: By "sitting" is meant abiding, as is written [Deut. i. 46]: "And ye sat in Kadesh," which means "dwelt." Rabha says: The easy things he learned standing, and the difficult things he sat down to understand.

"*By one person, or by two,*" etc. We have learned in a Boraitha: The law is not so with the Holy Scrolls (which only one can read, not two).

The rabbis taught: The scrolls of the Pentateuch one should read and the other should interpret; but not one shall read and two interpret; but the Prophets: One should read and two may interpret it, but two should not read and two interpret. In case of Hallel and the Megilla, however, even ten may read and ten interpret. Why so? Because Hallel and the Megilla are dear to the people, and even if ten read they will give their attention.

"*In places where it is usual to say a blessing,*" etc. Says Abayi: The Mishna refers only to the benediction after it; but before, it is obligatory. As R. Jehudah said in the name of Samuel: For all religious duties, one should pronounce a benediction before they are done.

What blessing should be pronounced before the reading of the Megilla? R. Shesheth of Qartazia said in the presence of R. Ashi: Three blessings: Blessed be He, etc., who has commanded us to read the Megilla; Blessed be He, etc., who has performed miracles for our ancestors; and the benediction of the time. What blessing is said after the reading of the Megilla? "Blessed be Thou, O Lord our God, King of the Universe, who hast taken up our quarrels, who hast judged our judgments, who hast taken revenge for us, who hast retaliated for us on our adversaries, and who recompensest according to their deservings all our enemies. Blessed be Thou, O Lord, who punishest all the adversaries of Israel." Rabha said: "Blessed be Thou, God of salvation." Said R. Papa: Therefore, we should say both: "Blessed be Thou, O Lord, who punishest our adversaries, God of our salvation!"

"*Three men are called to read,*" etc. To what do the three

correspond? To the Torah, the Prophets, and the Hagiographa. So said R. Ashi. Rabha said: To priests, Levites, and Israelites. And R. Simi taught: One must not read less than ten verses in the house of prayer; and if one of them consists of the words, "And God spoke to Moses," it is reckoned among the ten. To what do these ten correspond? R. Joshua b. Levi says: To the ten unemployed men in the synagogue. And R. Joseph said: To the ten commandments given to Moses on Sinai. R. Johanan says: To the ten sayings of the Lord, by which He created the world.

Rabha said: The first of the three men who goes to read in the Torah, if he has read four verses, he may be praised; if not the first, but the second did it, he may be praised; if the third did this, he may be praised (and if all three read four verses each, all may be praised). It happened once R. Papa came to the synagogue of Abiguber; and he read four verses to the first, and R. Papa praised him.

"*Neither more nor less.*" We have learned in a Boraitha: "The beginner shall pronounce the benediction before the reading, and the last reader after." But in this time, when we have the custom that everyone says the benediction both before and after, the reason why the rabbis have ordained so is that those who enter and go away in the middle of the reading should not fail to hear either the blessing before or after.

"*On the first of the month.*" Ula bar Rabh asked Rabha: The portion about the beginning of the month [Num. xxviii. 11], how should it be read? Shall we begin to read with the first verse of the chapter which speaks about the daily offering—eight verses—how shall we do? If two each read three verses, only two will be left for the third, and two should not be read? If they read each four, then for the third will be left seven verses, because about Sabbath there are two, and about the first of the month five? If the third should begin with the ninth verse (about Sabbath), and read the two about Sabbath and one about the first of the month, we have learned in a Boraitha: One must not begin a portion (containing less) than three verses? (and about Sabbath there are two). If the third begin with Sabbath, and read three about the first month, then two verses will be left. Rabha answered: This I did not hear, but I heard something similar. We have learned in the Mishna, in Tract Taanith: "The first day one reads in Genesis from i. 6: 'Let there be an expanse.'" And a Boraitha added to this: From "In the begin-

ning" should be read by two, and from "Let there be an expanse" should be read by one. And it was discussed: It is right that from "Let there be an expanse" should be read by one, because there are three verses; but up to that there are only five verses, and how can two men read it? Have we not learned in a Boraitha that each must read no less that three verses? And in answer to it, it was taught: Rabh said: The second should begin from the third verse, which has been already read; and Samuel says: They shall divide the third verse into two parts.

[Why does Rabh say he shall read a second time, and not begin in the middle? Because Rabh holds the verse which Moses did not leave in the middle we may not split; but Samuel says we may. And according to Samuel may we stop in the middle of the verse? Did not Hanania Kara say: I had great trouble when I was by R. Hanina the Great, who did not permit me to stop in the middle of a verse, except for the schoolchildren, because I had to teach them? Why did R. Hanina permit? Because schoolchildren could not otherwise be taught; and so Samuel allowed, because it was necessary. But why does not Samuel say as Rabh? Because if one enter in the middle, and hear the second reading the third verse, he may think the first has read only two.]

An objection was raised: We have learned in Taanith: "A portion containing six verses may be read by two men, but if it contain five, only one man must read; but if the first has only read three, the second must read the remaining two, and one of the next portion. But, according to others, he must read three verses of the next, because he must not begin to read a portion, unless he read three verses." Now, if it were as Rabh and Samuel say, why does not the Boraitha teach he shall repeat a verse, or stop in the middle? There the case is different; because it is practicable, but not here.

Said R. Tan'hum in the name of R. Joshua b. Levi: The Halakha prevails according to the saying of the Boraitha in the name of the others. And he says again: As one must not begin a portion, to read less than three verses, so one must not stop unless three verses are yet left.

Rabba the son of Rabha sent to ask R. Joseph how the Halakha prevails. And he sent him the answer: The Halakha prevails, that it shall be repeated by the second reader.

"*This is the rule: When an additional offering.*" The schoolmen propounded a question: On a fast of the congregation how

many persons should be called to read? Should we say that because on the first of the month and intermediate days there is an additional offering, four should read; but on this occasion, when there is no additional offering, only three should read? Or that, because there is an additional prayer, four should be called to read? Come and hear: It happened that Rabh came to Babylon on a congregational fast-day. He arose and read in the Torah, and said a benediction when he began, but not when he finished. The whole congregation fell upon their faces, and he did not. Now let us see: Rabh (who was no priest) could read only what an Israelite reads (*i.e.*, was the third). Why, then, did he not pronounce the benediction after he had finished? We must assume because he thought a fourth would yet read, so there would be four? Nay; Rabh was the beginner, and substituted a priest, because he was the best man; and we find in Gittin, that R. Huna did so too. It is right of R. Huna, because, as it is said there, R. Ammi and R. Ashi, although they were priests themselves and the most honored men of Palestine, nevertheless bowed before R. Huna; but Rabh, how could he substitute a priest? Was there not Samuel, who was a priest, and always had preference before Rabh? Nay; Samuel also bowed to Rabh; but Rabh gave preference to him only to honor him, and it seems to us that this is correct, that Rabh read first; because if not so, why did he pronounce the benediction before? But perhaps it was after it was ordained that the benediction should be pronounced both before and after? Then he would have pronounced the benediction after it also? It is different. Where Rabh was, the people were permitted to enter the house of prayer, but not to leave, till Rabh finished lecturing. Hence there was no fear for those who might leave. (The question is therefore not decided, because after the first may be either two or three.) Come and hear. This is the rule: On the day when no labor is done, as on a congregational fast and the 9th of Abh, three must read; and on those days when to do labor is not prohibited, as on the first of the month and intermediate days of a festival, four read. This decides the question.

Said R. Ashi: Have we not learned in our Mishna: This is the rule: On the day which has an additional sacrifice, but is not a festival, four men read? Now, when it is said, "this is the rule," may we not assume that it is meant to include a congregational fast and the 9th of Abh? Nay, a sign only was given that it should not be thought festivals and interme-

diate days are equal in the reading of the Torah: they gave us a rule that even on a day having a preference over another day, one man more must be called to read. Therefore, on the first of the month, intermediate days, which have an additional sacrifice, four read; on a festival, when no labor may be done, five must read; on the Day of Atonement, which has a punishment of Kareth, six read; on Sabbath, which has a capital punishment, seven read.

It is said above: Rabh did not fall on his face. Why? Because he was the most honored man; and this is similar to the teaching of R. Elazar: He said, an honored man must not fall on his face, unless he is sure he will be answered as Joshua b. Nun, of whom it is written [Josh. vii. 10]: "And the Lord said to Joshua: Get thee up; wherefore liest thou upon thy face?" Said R. Hyya bar Abbin: I saw that Abayi and Rabha used not to fall on their faces, but only reclined their heads on their hands.

"*Six on the Day of Atonement.*" According to whom is our Mishna? Not according to R. Ishmael, and not according to R. Aqiba of the following Boraitha: "On the festival five, on the Day of Atonement six, and on the Sabbath seven—not more and not less. So is the decree of R. Ishmael. R. Aqiba says: On a festival five, on the Day of Atonement seven, on Sabbath six—not less, but it may be more." If the Mishna was in accordance with R. Ishmael, it would not allow, as he, more; and if in accordance with R. Aqiba, the latter says, on Sabbath six? Said Rabha: The Mishna is in accordance with the disciples of R. Ishmael, who teach: On festivals five, on the Day of Atonement six, on Sabbath seven—not less, but more is permitted. So said R. Ishmael. This is in self-contradiction of R. Ishmael? There are two Tanaim: One says R. Ishmael had said so, and the second he had said otherwise. To what do the three, five, and seven correspond? R. Itz'hak b. Nahmani and R. Simeon b. Pazzi, according to others R. Samuel b. Nahmani—one said that it corresponds to the blessings of the priests (where there are three words in the first verse, five in the second, seven in the third), and the other said that they correspond to the three door-keepers [II Kings, xxv. 18] and the five men who could come unto the king's presence [ibid. 19] and the seven who could see Ahasuerus [Esther, i. 14]. And the same taught R. Joseph. Said Abayi to him: Why has the Master not explained it to us before? He answered: I did not know you needed an explana-

tion of it, and you asked me not; did you ever ask me anything to which I answered not?

Said Jacob, one of the Minim,* to R. Jehudah: The six men who read on the Day of Atonement, to whom do they correspond? He said: To the six men who stood on the right and the left of Ezra, as is written [Nehem. viii. 4]: "The names of the six who stood on the right, and of the six that stood on the left."

The rabbis taught: All are entitled to be counted read among the seven on Sabbath, even a minor and a woman. The sages, however, said: A woman should not read in the Torah for the honor of the congregation. The schoolmen propounded a question: May the last reader from the Prophets be counted among the seven? R. Huna and R. Jeremiah bar Abba differ: One says yes; the other says no. The first gives the reason that, although he reads from the Prophets, he reads from the Pentateuch also, and why should he not be counted? while the second holds with Ula, who said that the reader from the Prophets reads from the Pentateuch only in honor of the Torah, not because it is his task; and therefore it is not counted. An objection was raised: We have learned that he who reads portions from the Prophets should read not less than twenty-one verses, to correspond to the verses from the Torah read by the seven men (each of whom read three). Now, if the same person reads also from the Pentateuch, he should read but twenty-four verses from the Prophets, as he himself read three in the Torah? As he reads only in honor of the Law, it should not be counted. Rabha opposed: Do not we read Jeremiah, vii., from verse 21 to chapter viii., where twenty-one verses are not found? There it is different, because the subject is concluded there. And where the subject is not finished, must we read twenty-one verses? Did not Samuel bar Abba say: I stood many times before R. Johanan, and when we had done reading ten verses, he told us to stop, though it was in the midst of the subject? Where there is an interpreter, the law is different. As R. Tahlipha b. Samuel taught: When must he read twenty-one verses? Where there is no interpreter, otherwise he may cease earlier.

MISHNA: When men come into the synagogue after the prayer has been finished, they may not repeat the prayer if they

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* Tosphoth proposes it should be read Matzaa, of the city of that name, because, if he would be of the Minim, the Gemara would not mention his name. We, however, have explained in our *Philacterien-Ritus* that Jacob the Mini is right.

are less than ten in number, nor may any of them act as minister before the reading-desk, nor may priests raise their hands (to say the priest's blessing), nor may they read in the Law, nor read a section from the Prophets. When there are less than ten men present at a burial, the customary standings and sittings with the corpse, may not take place, nor may the blessing for mourners be said, nor the forms used in condolence with mourners, nor the seven blessings said on the celebration of a marriage, nor may the persons who join to say grace after meals mention the Divine name. And on an occasion of redeeming land that has been consecrated it is necessary that at least nine Israelites and a Cohen (priest) shall be present, and the same also at the valuation of a man (if he had said: I consecrate the value of my person to the sanctuary).

GEMARA: Where is this deduced from? Said R. Hyya b. Abba in the name of R. Johanan: Because it is written [Lev. xxii. 32]: "I may be sanctified among the children of Israel." All things sanctified must not be less than ten.*

"*Standings and sittings.*" Because it was the custom for a mourner to say: "Rise, honored men, rise!" and "Sit down, honored men, sit down!" which may not be said to less than ten.

"*Blessing for mourners,*" etc. What is the blessing for mourners? The benediction they said in the streets after the burial. Then R. Itz'hak said in the name of R. Johanan that the benediction of mourners was pronounced by not less than ten men, and the mourners themselves are not counted. The benediction of bridegrooms, however, is also said by ten, including, however, the bridegrooms.

"*Mention the Divine name.*" Why so? Because he must say: "Let us bless our God," and this is not suitable when there are less than ten.† (The Owner of Rewards shall recompense you for the kindness of accompanying the deceased. Blessed art Thou, O Lord, who givest rewards), and the same was said to the condolers.

MISHNA: Not less than three verses of the Holy Scrölls may be read in the synagogue by each person (called to read). One verse only of the Law may at one time be read to the inter-

* The Gemara deduces this from an analogy of expression, where a congregation is mentioned, and it is said a congregation is not called an assembly if less than ten.

† It is also shown from what the other laws are deduced, but they will all be found in other and more proper places in the Talmud.

preter. From the Prophets, however, may be read three also; but if each verse should form a separate section, each must be read separately. Passages may be skipped in the reading of the Prophets, but not in that of the Holy Scrolls. What time may be suffered to elapse to skip from one passage to another? while the interpreter does not conclude his interpretation.

GEMARA: "*A separate section*," etc. For instance, Isaiah, lii. 3, 4, and 5, treat of different subjects.

"*Passages may be skipped.*" There is a contradiction: We have learned in a Mishna in Yoma the following: He reads Lev. xvi. 7, "After the death," etc., and then in xxiii. 27, "But on the tenth." From this we see that he skips in the Pentateuch also? Said Abayi: It presents no difficulty. In the Pentateuch one may not skip when it is one subject; but if there are two different subjects one may. But we have learned in a Boraitha that even when the subject is the same one may skip in the Pentateuch, and in the Prophets only when the subjects are different? In both cases it is meant, while the interpreter does not conclude his interpretation.

In another Boraitha we have learned: One must not skip from one Prophet to the other. In the reading of the twelve Minor Prophets, however, one may do so; but not from the termination of one to the beginning of the other.

MISHNA: Whoever reads in the house of prayer the section from the Prophets may also repeat the prayer (Shema) and act as minister before the reading-desk; and if he is a priest, may say the blessing of the priests. If a minor, his father or teacher shall act for him.

A minor may read in the Law (in the synagogue) and act as an interpreter, but may not publicly recite the Shema, nor act as minister at the reading-desk, nor (if a priest) say by himself the blessing of priests. A man in rags may repeat the Shema and act as interpreter, but he may not read in the Holy Scrolls, nor act as minister before the reading-desk, nor (if a priest) say the blessing of priests. A blind man may repeat the prayer and act as interpreter; but R. Jehudah says: One who never beheld the light (*i.e.*, was born blind) may not repeat Shema.

GEMARA: Why so? Said R. Papa: This is a reward of honor (because to read portions from the Prophets is not such an honor as to act as minister). Rabba bar Simi, however, said: To prevent quarrels (one should not say: I will read the Prophets and thou read the Shema).

"*A man in rags.*" Ula bar Rabh asked Abayi: May a minor in rags read in the Torah? He answered: Why did you not ask about a naked man? Because we are certain that he must not, for the honor of the congregation, the same is the case here.

We have learned in a Boraitha: The sages said to R. Jehudah: Many persons lectured about the *Merkabha* (Divine Chariot) [Ezekiel, i.], although they had never seen it. Answered R. Jehudah: That deals with things in the inner consciousness, and if one meditates about them one may be fit to lecture. But if a man blesses for light it is for the benefit received, and a blind man has no benefit by it. The rabbis, however, hold that a blind man does derive benefit from light, as R. Jose of the following Boraitha said: My whole life I was sorry about the following verse [Deut. xxviii. 29]: "And thou shalt grope about at noonday, as the blind gropeth about in the darkness." I always asked, what matters it to the blind whether it be light or darkness, he gropes at any rate? till it happened once I walked in a dark night, and I met a blind man who walked with a torch. I asked him: My son, thou art blind. Why walkest thou with fire? He replied: So long as the torch is in my hands, people see me, and would not let me fall into a pit or tread on thorns.

MISHNA: A priest whose hands are deformed must not raise them (to bless the people). R. Jehudah also prohibits it to a priest whose hands are stained with wood or with madder roots, because the people stare at him.

GEMARA: We have learned in a Boraitha: By the blemishes are meant those on his hands, face, or feet. R. Joshua b. Levi said: If there are eruptions on his hands, he must not raise them. We have learned the same in the following Boraitha: If he has eruptions on the hands, or they are crooked, he must not raise them. Said R. Ashi: The priests from the villages 'Hiphni and Bishni all stutter, and must not bless either. The same we have learned in the following Boraitha: One must not make men act as ministers who are from Beth Sheon or Beth Hippa; also the men of Tibonin, because they pronounce an *a* as an *h*, and an *h* as an *a*. R. Johanan said: A priest of one eye must not raise his hands. But was there not a one-eyed priest in the neighborhood of R. Johanan who did bless, and he said to him nothing? That man was known in his town, and nobody stared at him because of his peculiarity; as is stated in a Boraitha: If one such is known in his town, he may.

"*R. Jehudah also prohibits.*" We have learned in a Boraitha:

If the majority of a town worked at the same kind of work, and their hands were stained also, he may.

MISHNA: One who should say: "I will not minister at the reading-desk in colored clothes," may not be permitted to do so even in white ones [because we are afraid perhaps he becomes heretical, as only the Minim are particular about this]. If he refuses to minister with sandals on his feet, he may not be permitted to minister even barefooted. A man who makes the Tephilin round endangers himself, and has not properly observed the commandment.* A person who places them low down on his forehead, or on the palm of his hand, acts like the Sadducees. If he covers them with gold, or places them on his *unkli*,† he acts like a dissenter who does not care for our tradition.

If one says in his prayers: "The good shall bless Thee," he acts heretically.‡ If he says: "As to birds' nests were Thy mercies extended, so have mercy upon us"; or, "For Thy good be Thy name remembered"; or one who says twice "Modim," he shall be silenced (by authority). Also, whoever explains the text [Lev. xviii. 21]: "And of any of thy seed shalt thou not let pass through to Molech" to mean, "Thou shalt not give thy seed to an Aramite (heathen) woman," (and those who explain figuratively the section in the Law relating to carnal intercourse between relatives [Lev. xviii.]), shall be silenced, and publicly reprimanded. The occurrence of Reuben with Bilha is to be read without being interpreted; that of Tamar is to be read and interpreted. The first part of the occurrence with the golden calf is to be read and interpreted; but the second part [commencing Ex. xxxiv. 21] is to be read without being interpreted. The blessing of the priests, and the occurrence of David and Amnon, are neither to be read nor interpreted; the descrip-

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* In our *Philacterien-Ritus*, pp. 56, 87, 126, we have corrected this misprint as, "it is dangerous and there is no merit in it." We found this misprint corrected in Tract Tephilin of the seven new tracts by Kirchheim.

† About this Mishna we have remarked in our "History of Amulets, Charms, and Talismans," p. 30, note 33, thus: We have already demonstrated in "Phyl.-R.," p. 56 (and at length on p. 65, under the heading אונקלי), that the Mishna in Megilla, "If one cover them with gold," etc., "he acts like a dissenter," refers to the Jewish Christians.

‡ The expression here is not plain. It seems to us that the Mishna meant to say he acts like the Persians, who believe in two Gods—one of good, the other of evil —as the latter part of the Mishna, "who says twice Modin," means: Who praises the God of good for his kindness, and the God of evil that he has not done evil.

tion of the Divine Chariot [Ezek. i.] is not to be read as a portion from the Prophets, but R. Jehudah permits it. R. Eliezer says, neither [Ezek. xvi.]: "Cause Jerusalem to know her abominations," etc.

GEMARA: "The rabbis taught: The Scripture about the creation of the world may be read and interpreted." [Is this not self-evident? Lest one say if it will be read and interpreted, one may ask what was before the creation, or what will be after the world, what is taking place above, and what is occurring below, they come to teach us this is not feared.] What happened to Lot and his two daughters may be read and interpreted. [Is this not self-evident? One might say that we should care for the honor of Abraham: they come to teach it is not so.] What happened to Tamar and Jehudah may be read and interpreted. [Is not this self-evident? Lest one say that we should care for the honor of Jehudah, they come to teach us, on the contrary, it is an honor for Jehudah that he confessed it.] What occurred with the golden calf may be read as far as the first part goes, and interpreted. [Is this not self-evident? We might assume we should care for the honor of Israel. They come to teach us that it is more agreeable to them when it is interpreted, that it causes their forgiveness.] The blessings and the curses pronounced by Moses in Leviticus and Deuteronomy may be read and interpreted. [Is this not self-evident? We might assume, perhaps, when they will hear it, they will become dejected, and say: If so, we will do all we please, as we will be punished so terribly in any event: they come to teach us it is not so.] The warnings and punishments may be read and interpreted. [Is this not self-evident? One might say if the punishments will be read, one might think Israel should do their duties only from fear, they come to teach us this is not apprehended.] The story of Abisolom, Amnan, and Tamar may be read and interpreted. [Is this not self-evident? One might say we should spare the honor of David. They tell us it is not so.] The story of the concubine in Gibea may be read and interpreted. [Is not this self-evident? They come to teach us that we should not do as R. Eliezer of the following Boraitha: It happened to a man who read in Ezekiel, xvi.: "Make known unto Jerusalem her abominations," in the presence of R. Eliezer, that R. Eliezer said to him: "Instead of investigating the unworthiness of Jerusalem, go and rather investigate the faults of your mother." When it was heard, an investigation was

made, and it was found he was not a rightful Israelite.] Following are those which may be read, but not interpreted: What happened to Reuben and Bilha may be read, but not interpreted. It happened once to R. Hanina b. Gamaliel, who went to Kabul, and the reader of the congregation read [Gen. xxxv. 22]: "And it came to pass when Israel dwelt," he said to the interpreter: "Stop, do not interpret except the last verse." And the sages commended him for this. The second part of the story about the golden calf may be read, but not interpreted? What is the second part? From Ex. xxxii. 21–25.

We have learned in a Boraitha: R. Simeon b. Elazar said: A man should always be prudent in his replies, for from Aaron's answer to Moses, those that murmured became lawless; for they said: There is something in idolatry, for it is written: "And I cast it into the fire, and there came out this calf." The Blessing of Priests is read, but not interpreted, because it is written [Num. vi. 26]: "The Lord lift up his countenance."

"*The occurrence of David and Amnan.*" Did we not learn in a Boraitha that the story of Amnan and Tamar is to be read and interpreted? It presents no difficulty: Where "Amnan ben David" is written, it must not be read; but the other places may.

## CHAPTER IV.

### REGULATIONS CONCERNING SELLING OF SACRED PROPERTY AND ABOUT THE READING OF THE HOLY SCROLLS ON SABBATH AND HOLIDAYS.

MISHNA: Inhabitants of a town who have sold the open (or market-) place of the town may buy for that money a prayer-house; the money obtained by the sale of a prayer-house they may apply to the purchase of an ark (to keep the Holy Scrolls in); for that obtained by the sale of such an ark, cloaks or wrappers for the Holy Scrolls may be purchased; for the proceeds of such wrappers, books of the Prophets and Hagiographa may be purchased; for the proceeds of the same books, the scrolls of the Pentateuch may be purchased; but if they had sold scrolls of the Pentateuch, it would not be lawful to apply that money for the purchase of books of the Prophets and Hagiographa, nor wrappers for the proceeds of such books, nor an ark for the proceeds of wrappers, nor a prayer-house with the proceeds of an ark, nor a market-place with the money obtained by the sale of a prayer-house; and so in respect to any surplus fund.

GEMARA: "*Inhabitants of a town.*" Said Rabba bar bar Hana in the name of R. Johanan: All this was said by R. Menahem bar Jose, in accordance with whom are many anonymous Mishnas; but the sages said that there is no sanctity in a market-place. But what is the reason of R. Menahem b. Jose? Because on the congregational fast-days the people assembled in the market-places to pray (as is explained in Tract Taanith). The rabbis, however, do not care for what happens only occasionally.

"*The money obtained by the sale of a prayer-house.*" Said R. Samuel bar Na'hmani in the name of R. Jonathan: The case is only about prayer-houses of villages, where they are the inhabitants' property; but in large towns, where money for them is collected from other places also, and to which other men come to pray, the congregation cannot sell it at all, because the prayer-house belongs to a majority who are absent, and it is not theirs.

Said R. Ashi: The prayer-house in my town, Masa-Me'hasia

(Sura), although the money was collected from abroad, yet because they all came for my sake, I am the owner of it, and if I wish, I may sell it. Rabha said: What is said, that the money obtained for sacred property must be spent only on other sacred things, applies only to a case where it was not sold by the seven elders of the town, in presence of the townsmen, but if they did so, it may be spent even on drinking beer (if all so wish). There was a hill, on which had stood a prayer-house, which Rabbina wanted to sow. He came to R. Ashi, and asked whether he might do so. He answered him: Go and buy it from the seven elders of the city, in the presence of the townsmen, and then you may sow it. Rami bar Abha was engaged in building a new prayer-house; but he also had an old prayer-house, which he wanted to pull down in order to use the bricks and beams for the new structure. He asked himself this question: R. Hisda once said, one may not destroy an old prayer-house before the new one has been finished; but this is only because one is not sure whether the new one will be completed; I, who am certain that it will, may I pull it down or not? He went and asked R. Papa, who prohibited. He went then and asked R. Huna: he forbade him also.

Rabha said: A prayer-house may be exchanged for another, or sold, but it may not be rented or pledged. Why? Because when it has been sold, its sanctity departs from it; but when rented or pledged, it remains holy, and may not be used for profane purposes. The same is it with the bricks of a prayer-house: they may be exchanged or sold, but not pledged. This applies to old bricks, but not to new ones which have not yet been used. About giving away, however, as a present, R. Aha and Rabbina differ: one says one may do so, and the other not.

The rabbis taught: Articles used for a religious duty may be cast away; but such as are used in holy service must be hidden. What articles are used for religious duties? Such as a Sukkah, Lulab, cornet, Tzitzith. What are holy things? Scrolls of Scripture, Tephilin, Mezuzoth, also cases of scrolls, of Tephilin, and their straps.

Said Rabha: I had thought before, that the pulpit on which the Holy Scrolls are laid to be read is not itself a sacred article, but only one used for the preparation of a holy article; but where I saw once the Holy Scrolls put down on it (without a cloth between), I thought it was itself used for a holy purpose, and therefore must not be sold. Rabha says again: At first I

had thought the curtain of the ark was only an article used for a sacred article; but after I had seen that they folded it together, and put the Holy Scrolls on it, I knew it was a sacred article itself, and must not be sold. The same said again: Of an ark which fell to pieces one may construct a smaller ark, but not a pulpit. He said again: When the curtain of the ark is rotten, one may cut it smaller for the use of the Holy Scrolls, but for scrolls of parts of the Pentateuch he must not. The cases of the Holy Scrolls and of the Five Books, as they were used for sacred purposes, must be hidden. Is this not self-evident? Lest one say that they are not made for the honor of the sacred things, but to preserve them, he comes to teach us it is not so.

Mar Zutra said: The Holy Scrolls, when rotten, may be used as shrouds for a dead man that has no friends to bury him, and left no property to be used for that purpose, and this is hiding them.

Said Rabha: Holy Scrolls that were whole, and were torn, may be interred in the grave of a scholar, and even if he had learned only Halakhoth (and did not know Gemara). Said R. A'ha bar Jacob: But they must be put into a clay vessel, as it is written [Jer. xxxii. 14]: "And place them in an earthen vessel."

R. Papi said in the name of Rabh: A prayer-house may be converted into a learning-house, but not *vice versa;* and R. Papa in the name of Rabha taught the contrary. Said R. A'ha: It seems to be according to R. Papi, because so said R. Joshua b. Levi: A prayer-house may be turned into a learning-house. Infer from it that it is so.

"*It will not be lawful to buy books of the Prophets,*" etc. The schoolmen propounded a question: May old Holy Scrolls be sold, to purchase with the money new ones? Shall we assume that as the new ones have no preference over the old ones, they may not be sold; or that if the old ones are not sold, the new ones cannot be had, therefore it may be done? Come and hear: Rabba bar bar Hana said in the name of R. Johanan, quoting R. Simeon b. Gamaliel: One must not sell old scrolls for the purpose of buying new ones. There it is different: It is a precautionary measure lest he sell the old ones without buying new ones; but here the question is about such as are already written, and lie ready for us to be obtained when the money is had. How is the law? Come and hear: R. Johanan said in the name of R. Meir: In any case the Holy Scrolls must not be sold, except for the purpose of using the money for study, or for marriage.

From this we see that to exchange the Law for study, one may; so to exchange old scrolls for new ones, one may also. But perhaps it is different, because from studying he will know how to act; and marrying, because it is written [Is. xlv. 18]: "Not for naught did he create it; to be inhabited did he form it." But to exchange old Holy Scrolls for new ones, perhaps one may not? (This question is not decided.)

The rabbis taught: A man shall not sell Holy Scrolls, even when he does not need them; furthermore, says R. Simeon b. Gamaliel, even when he has nothing to eat, and has sold the Holy Scrolls, or his daughter for a slave, he will not see a sign of blessing all his life. Even when he has sold them, and bought new ones instead at a lower price, he will not see a sign of blessing in the remainder of the money. Said Rabha: The case is only when old Holy Scrolls have been sold, and new ones bought, so that some money was left; but when money was collected for this purpose and Holy Scrolls were bought, but some money was left, it may be used for all purposes. And even in the first instance it is so only when the old Holy Scrolls had been bought by the seven elders of the town, in the presence of townsmen, without any condition; but if it was bought conditionally, it may be used even for Duksusia.

Said Abayi to one of the rabbis, who arranged Boraithoth before R. Shesheth (who was blind): Hast thou not heard from R. Shesheth what is meant by Duksusia? He answered: So said R. Shesheth: A rider, whom the people of the town hire for their needs. Said Abayi again: Therefore if a young scholar heard something and does not know it, he should ask a man who usually goes before the great rabbis, because it is impossible that he should not have heard an explanation from the great men.

R. Johanan said in the name of R. Meir: When inhabitants of one town went away to another town, and the elders of that town ordered them to give charity for the poor of that town, they should give (that it should not be suspected they give no charity); but when they return, they may take it back, to support therewith the poor of their own town. The same we have learned in a Boraitha. But if an individual went to another town, and was ordered to give charity there, it should be given away to the poor of that town.

R. Huna ordered a congregational fast. Came to him R. Hana bar Hanilai, with many inhabitants of his town: he ordered

them to give charity, and they did so. When they had to return, they said: Let the Master give us back the money, that we may support therewith the poor of our own town. He said to them: We have learned in a Boraitha: When must it be given back? Where there is no scholar in their town who occupies himself with the public needs; but if there is such a man, it must be given to him, that he should dispose thereof. According to this judgment, so much the more the poor of my town and yours, all are supported through me.

MISHNA: Sacred public property must not be sold to private individuals, because the sanctity thereby becomes lowered. This is according to R. Meir. The sages, however, said: If so, it would also be prohibited for a large town to sell sacred things to a smaller one.

A prayer-house may be sold, according to R. Meir, only conditionally (that if they want it, it shall be returned to them). But the sages permit it to be sold permanently, except for the four following uses: to be made a bathing-house, a tanning-place, a legal diving-bath, or laundry. R. Jehudah says: It may be sold on the condition that it be made an open court, and then the purchaser is at liberty to turn it to what purpose he pleases.

GEMARA: "*But the sages permit to be sold permanently.*" Said R. Jehudah in the name of Samuel: A man may let water within four ells of a prayer-house. Said R. Joseph, what does he come to teach us? We have learned this in a Mishna, R. Jehudah said, he may sell it for a court-yard, and the buyer can do what he pleases. And even according to the rabbis, who forbid it, it is only in case of a prayer-house whose sacredness is permanent; but in regard to the four ells before the prayer-house, which have no sacredness, even the rabbis admit. One Tana taught in the presence of R. Na'hman: One who prays, and wants to let water, shall step away four ells and do so; and he who has done so must walk away four ells before he may pray. Said R. Na'hman to him: "The last teaching is right, because we have learned in a Mishna that he must withdraw from such things to a distance of four ells; but that he who prays should go away four ells, why is this? By this teaching you make all streets of Nahardea sacred, for there is no place there where men have not prayed; hence letting water would be unlawful in them? Therefore teach, he must tarry for the length of time required for walking four ells, but need not walk."

It is right that he who has let water should wait as long as walking four ells requires, because the feet can be besprinkled and he must wait till they dry; but why shall he who has prayed wait for that time? Said R. Ashi: Because for that length of time the prayer is still in his mind and his lips still keep moving, if he had been praying. The disciples of R. Zakkai asked him: In reward of what have you been living so many years? He replied: I never let water within four ells from a prayer-house, and I never called my neighbor nicknames. It never happened I should pronounce the morning benediction of the Sabbath without a goblet of wine: it happened once I had no money to buy with, and my old mother sold the cap from her head and brought me wine for Kiddush.

[It is taught in a Boraitha:] when she died she left three hundred cans of wine, and when he died he left to his heirs three thousand cans of wine. R. Huna stood in the presence of Rabh, girdled with a piece of rubber gum. And Rabh asked him: Where is thy girdle? He said: I had not wine for Kiddush, and pawned my girdle to get it. Rabh answered him: May it be God's will that you should be wrapped in silk. When he married his son Rabha, he slept on a bed; as he was not tall, his daughters and daughters-in-law threw their silken clothes upon him, and he was wholly hid. When Rabh heard of this, he was sorry, and said: When I blessed you, why did you not answer me: and the same to the Master.

The disciples of R. Elazar b. Shamua asked him: In reward of what have you lived so long? He replied: I never used the house of learning as a passage (*compendiarius*, thoroughfare); I never trod on the heads of the holy people (he used to come earlier than his disciples, and did not make them rise from their seats on the ground, as it is in the East); and I never raised my hands (for he was a priest) to bless Israel without pronouncing first a benediction. R. Preda was asked the same question by his disciples. He told them it never happened a man should come to the house of learning earlier than I; I never pronounced a benediction at a meal in the presence of a priest; and I never ate of an animal of which the gifts had not been separated, as R. Itz'hak said in the name of R. Johanan: It is not allowed to eat of an animal of which gifts have not been made to the priest even in these days. The Master says: "I have pronounced no benediction in the presence of a priest." Is that a merit? Did not R. Johanan say a scholar for whom a priest, even a high-

priest, who is an ignorant man pronounces a benediction (which properly the scholar had to pronounce, and the latter had not protested, he) deserves death, because it is written [Prov. vii. 36]: "All those that hate me love death"? Do not read "Mesanai," etc. (see Sabbath, p. 236). R. Preda means when the priest was equal to him in scholarship.

The disciples of R. Nehunia b. Haqana put to him the same question, and he answered: I never honored myself by the disgrace of my neighbor, and I never went to bed with the curse of my neighbor (but reconciled myself to him before), and was liberal with my money.

["I never honored," etc. As it happened, R. Huna bore a *pickaxe*. R. Hana bar Hanailai took it away from him, and he wanted to carry it. He said to him: If it is your custom to carry such a thing in your town, do it; but otherwise, if I will be honored by your disgrace, I do not want it. "I never went to bed." As Mar Zutra, when he went to bed, used to say: I pardon all the men who have vexed me. "I was liberal." As the Master said elsewhere that Job was liberal with his money; that is, he allowed the storekeepers larger profits than was necessary.]

R. Aqiba asked R. Nehunia the Great the reason for his longevity. His servants came and beat him (for the question). R. Aqiba fled from them, and went to the top of a tree, and said: Rabbi, when it is written [Num. xxviii. 4] "one sheep," if it is not in the plural why should "one" be written in addition? And he said to his servants: He is a young scholar; do not hit him. And he answered to him: "One" is added to signify that it shall be the best in its flock. (Then he answered to him to the first question thus:) I never accepted in my life presents, I never was obstinate, and I was liberal with my money.

["I accepted no presents." As happened to R. Elazar, when gifts were sent to him from the house of the Nasi, he did not take them; and when he was invited, he used not to go. He used to say: When they send to me gifts, they do not wish that I shall live, for it is written [Prov. xv. 27]: "He that hateth gifts will live." And R. Zera, when gifts were sent to him, he did not accept; but went when he was invited, saying: "They only want to honor me." "And I was not obstinate." As Rabha said: Who yields from his obstinacy has his sins cancelled. As it is written [Micah, vii. 18]: "Pardoning iniquity

and forgiving transgression"; and that is interpreted in Tract Rosh Hashana: To whom does God pardon iniquity? Him who pardons the wrongs of his neighbor toward him. Rabbi asked R. Joshua b. Korha: In reward of what have you lived so long? He answered to him: Does it grieve you that I live so long? He rejoined him: Rabbi, it is a study, and I want to learn it from you. He replied: I never in my life looked into the face of a wicked man [as R. Johanan said: One shall not look at the appearance of a wicked man, as it is written (II Kings, iii. 14)]: "Surely, were it not that I regard the presence of Jehoshaphat the King of Judah, I would not look toward thee nor see thee." Rabha says: From the following passage [Prov. xviii. 5]: "It is not good to favor the countenance of the wicked." When R. Joshua b. Korha was dying, Rabbi asked him: Bless me! And he said to him: It shall be the will of God you should reach the half of my age. Said he to him: Rabbi, and not your whole age? Do you not wish I should live as long as you? He replied to him: And what will your sons do? will they tend sheep? If you will live so long, you will survive them (Rabbi was a Nasi). The disciples of R. Adda bar Ahba* asked him: Why have you lived so long? He answered: I never was angry in my house, I never preceded a superior, I never thought of Divine subjects in unclean alleys, and I never walked four ells without thinking about the Law and without phylacteries, and I never took a nap in the house of learning; I never rejoiced when my neighbor was in misfortune, and I never called my fellowmen nicknames.]

MISHNA: Furthermore, R. Jehudah says: No funeral orations may be delivered in a house of prayer which had become ruinous, nor may it be used as a rope-walk, nor to spread nets therein, nor to spread fruit on its roof, nor to use it as a passage —*compendiarium*—(by a shorter route), as it is said [Lev. xxvi. 31]: "I will bring your sanctuaries into desolation." That means, they remain sanctuaries even in their desolation. If grass spring up therein, it may not be pulled up, that the view may contribute to the affliction (of the beholder).

GEMARA: The rabbis taught: The house of prayer must not be treated with levity: one must not eat therein, drink, decorate one's self there, promenade, nor resort there from the great heat or from rain; one must not deliver there a funeral

* In text it is written R. Zera, but it is a misprint. See Taanith, p. 54.

oration after an individual, but one may read there, study Mishna, and deliver a funeral oration after a scholar who was needed by many men. And it has to be swept always, also sprinkled with water, that there be no dust, and no grass grow (where there is no floor). R. Jehudah said: "This is when they are in good condition; but when in ruins, if grass spring up, it may not be pulled up, that the view may contribute to the affliction." R. Asi said: The prayer-houses which are in Babylon, although they are built conditionally, yet in the meantime no one allows himself any levities in them. What does he mean thereby? They do not make business calculations there. R. Asi said again: When business calculations are made in the prayer-house, finally it will become a place for a dead body for a night. How is this to be understood? He means to say that in punishment of this, some one will die in the town who will have no friends, and will be left overnight in the house of prayer. "Decorate one's self." Said Rabha: The scholars and disciples may do it in the learning-house. As R. Joshua b. Levi said: Why is a learning-house called the house of the rabbis? Because some things it is allowed to the rabbis to do which is not permitted to others.

"From the great heat or rain." As Rabbina and R. Ada bar Mathna stood and asked a question of Rabha, meanwhile it began to rain. They entered the house of prayer, but remarked thereat: We go to the prayer-house not from the rain, but for the study of a Halakha for which the mind must be clear as the sunny day, when a north wind blows, purifying the air. R. A'ha b. Rabha asked R. Ashi: How is it when one wants to see a man who is in the prayer-house? May one go in to call him, or not? He answered: If he is a young scholar when he enters the prayer-house, he should speak about some Halakha. When he is a disciple studying Mishna, he should study, entering, a Mishna; if he can only read the Pentateuch, he should say a verse therefrom; if he is unable to do this, he should ask a child: What verse have you learned to-day? If not even this, he should enter, and stay there a while, and only then leave (that it should not seem he came only for this purpose). "After a scholar who was needed," etc. What is meant by this? R. Hisda pointed out, *e.g.*, if anyone of R. Shesheth's disciples should die. R. Shesheth pointed out R. Hisda: If, *e.g.*, one of R. Hisda's disciples would die.

Raphram lamented his daughter-in-law in the prayer-house.

He said: For my honor, and in honor of the deceased, the whole world will come to hear my oration. R. Zera lamented after one of the rabbis in the prayer-house, and said: Either in my honor or in honor of the deceased all will come to hear. Resh Lakish delivered a funeral oration after a young scholar who had been in Palestine, and taught Halakhoth to twenty-four rows of disciples. He said: Woe! that the land of Israel has lost such a great man. One scholar died who had known Halakhoth, Siphra, Siphri, and Tosephta. They came and told R. Na'hman he should lament him. R. Na'hman said: What shall I say to such a great man—shall I say, Woe! that such a book-case full of books was lost? (He learned all by himself and not from masters, therefore he styles him merely thus, but not "scholar," because maybe he learned by heart but did not understand the reasons.) Come and see the difference between the mighty of the land of Israel and the pious ones of Babylon. (Rashi explains it thus: Resh Lakish was of the most honored men of Palestine, as it is said elsewhere that even to Rabbi bar bar Hana he did not talk in the street. Nevertheless, as above said, when a young scholar, learned only in Halakhas, died, he made the lamentation without any questions. R. Na'hman b. Itz'hak was of the pious men of Babylon, as it is said elsewhere that he said: Do not mention fear of sin, because I live yet.)

We have learned in a Mishna in Aboth: "Who uses the crown, is lost." Resh Lakish taught: That means, if one uses for his service a man who learns Halakhoth, which are the crown of the Law. Said Ula: A man can use the service of one who learns four Halakhoth, but not of one who *teaches* four Halakhoth; as happened with Resh Lakish, who walked on the road, and had to cross a stream. A man came, took Resh Lakish on his shoulders, and carried him across. Resh Lakish asked him: Can you read in the Torah? He said yes. Can you read in the Mishna? He said: I have studied four sections of the Mishna. Said Resh Lakish to him: You have cut out for yourself four rows of gold, and still you carried the son of Lakish on your shoulders? Throw him into the water! Said the man: It is agreeable to me to serve the Master. Said he: You may do it only when you will have learned from me something (and then he taught him a Halakha).

The rabbis taught: The burial of a corpse and the marriage of a bride supersede the study of the Law. It was said of R. Jehudah b. R. Ilai: He used to interrupt his study for the above

two things. This is in the case when the dead man has not enough men to accompany him, but if there are enough, one need not interrupt his study. What is meant by "enough"? Said R. Samuel bar Inia in the name of Rabh: It means thirteen thousand men, and six thousand with cornets. And according to others, the six thousand are included in the thirteen thousand. And Ula says: As many men as could form a wall from the place where the man died to the grave. R. Shesheth says: Six hundred thousand men. As the Law was given to six hundred thousand men, so a man who has learned the Law should be accompanied by six hundred thousand men. This applies only to a disciple who has learned, but for the Master who taught, no definite number is to be prescribed.

We have learned in a Boraitha: R. Simeon b. Yochi said: Come and see how the Israelites are beloved by the Holy One, blessed be He. Wherever they went in exile, the Shekhina accompanied them. They were exiled into Egypt, the Shekhina was with them, as is written [I Sam. ii. 27]: "Did I not appear unto the house of thy father, when they were in Egypt?" When they were exiled into Babylon, the Shekhina was with them, as is written [Is. xliii. 14]: "For your sake I was sent to Babylon." And in future, when they will be redeemed, the Shekhina will also come to them, as is written [Deut. xxx. 3]: "The Lord thy God will return"; it is not said, He will bring back you, but *He* will return with you.

It is written [Ezek. xi. 16]: "Yet will I be to them as a minor sanctuary." Said R. Itz'hak: This means the houses of prayer and the houses of learning that are in Babylon. R. Elazar said: That is the house of our Master who is in Babylon (*i.e.*, Rabh). Rabha lectured: It is written [Ps. xc. 1]: "Lord, a place of refuge hast thou been unto us." That means the prayer and learning-houses. Said Abayi: Formerly I learned at home, and prayed at the house of prayer; but when I heard later what David said [in Ps. xxvi. 6]: "Lord, I love the site of *thy* house," I went to study also in the prayer-house."

A Boraitha states: R. Elazar the Kapar said: The prayer and learning-houses which are at present in Babylon will in the future be established in the land of Israel, as it is written [Jer. xlvi. 18]: ". . . as Thabor is among the mountains, and as Carmel is by the sea, so shall he come." An *a fortiori* conclusion is to be drawn: If Thabor and Carmel, at which only occasionally the Law was studied, are counted among the land of Israel, the

prayer and learning-houses, at which the Law is still studied, so much the more that they will become the land of Israel.

Bar Kapara lectured: It is written [Ps. lxviii. 17]: "Why watch ye enviously, ye many-peaked mountains?" A Heavenly voice was heard, which said to the mountains: "Why should ye be jealous of Mount Sinai? Ye, all great mountains, are blemished in comparison with Sinai." This is inferred from the expression "*Gabnunim*," and by analogy of expression in Lev. xxi. 20, the expression "crook-backed," which is one of the blemishes, is "*Giben*." Said R. Ashi: From this we may infer that a man who is haughty must be considered as blemished.

"*Nor used as a passage*" (*compendiarium*). What is meant? Said Rabha: The explanation is similar to the word; instead of going around, one goes through the house. Said R. Abahu: If the house was originally used as a shorter route, one may. R. Na'hman b. Itz'hak said: If one entered it without the intention to use it thus, but afterward wants to go through the other door, he may. And R. Helbi in the name of R. Huna said: If he entered to pray, he may go out by the shorter road. As is written [Ezek. xlvi. 9]: "But when the people of the land came before the Lord on the appointed feasts, he that entereth in by the way of the north gate to bow himself down shall go out by the way of the south gate."

"*If grass spring up*," etc. But did we not learn in a Boraitha, he must not pull it up to feed therewith cattle, but he may uproot it, and leave it lie? In the Mishna also is meant, he should not pull it up for animals.

MISHNA: When the first of Adar falls on a Sabbath, the portion Shekalim [Exod. xxx. 11] is to be read; if it falls on any other day, that portion must be read on the preceding Sabbath, and nothing additional is read on the following Sabbath. On the second, the portion "Remember" [Deut. xv. 15] is to be read; on the third, that of the red heifer [Numb. xix.]; on the fourth, that of the new moon [Ex. xvii.]; on the fifth, they return again to the regular order. The regular order of Aphtaroth is also to be interrupted on the days of new moon, on that of Hanuka, on Purim, and on public fast-days, also on the fast of the standing men (this is explained in Tract Shekalim), and the Day of Atonement.

GEMARA: We have learned in the Mishna in Shekalim (vol. iv., p. 1): "On the first day of the month of Adar warnings are heralded from Jerusalem concerning Shekalim and

Kelayim." About Kelayim it is the time of sowing, therefore it is right that it is heralded they should have no Kelayim; but whence do we deduce that about Shekalim it must be heralded on the first of Adar? Said R. Tebi in the name of R. Joshia: It is written [Num. xxviii. 14]: "This is the burnt-offering of the new moon for every month." The expression is: "*Hodesh behodsho*" (*i.e.*, new in its new), that means that the Torah said: Renew it. Ye shall bring the offerings from the new taxes of the year, and as with the first of Nisan begins the new year, it must be heralded in Adar that the new taxes shall be collected before or on the first of Nisan, for the purpose that they might be brought in time to the Temple.

Is the Mishna not in accordance with R. Simeon b. Gamaliel, who said: Only *two weeks* before Passover shall it be lectured about the Passover? Nay, we can say it is in accordance with R. Simeon b. Gamaliel also, but because in Shekalim, I, Mishna *c*, it is said: "On the fifteenth of Adar the money-changers outside of Jerusalem seated themselves at their tables," etc., we must be earlier in reading the portion of Shekalim. What is called the portion of Shekalim? Rabh says: The portion about the daily offerings [Num. xxviii. 2]. And Samuel says: Ex. xxx. 21. It is right according to Samuel that it is called Shekalim, because it speaks about it; but according to Rabh, where is mentioned in that portion about Shekalim? About Shekalim is not mentioned, but according to Rabh this shall be read because the daily offerings must be brought from the new Shekalim as R. Tebi said above. We have learned in the following Boraitha in accordance with Samuel: If the first of Adar falls on Sabbath, the portion from Ex. xxx. 21 shall be read; and the portion from the Prophets should be about Yehoyada the priest [II Kings, xii.]. R. Itz'hak of the city of Naph'ha said: If the first of Adar falls on Sabbath, three Holy Scrolls must be taken out, and it should be read from one the portion due on that Sabbath, and from one the portion proper on the first of the month, and from one the portion of Shekalim [Ex. xxx. 21]. He says again: When the first of the month Tebeth falls on Sabbath, the same thing is to be done—three scrolls are to be taken out: one portion proper for the Sabbath should be read, the second that of the first day of the month, and the third about Hanuka [Num. vii.]. It was taught: When the first of Tebeth falls on a week-day, said R. Itz'hak: Three must read the portion of the first day of the month, and one about the sanctification; and

R. Dimi from the city of Hepha said, Three must read about the sanctification, and one about the first of the month. Said R. Mani: It seems to us that R. Itz'hak of Naph'ha is correct; because a frequent thing is given preference over an unfrequent thing, and we read Hanuka once a year, while the first of the month is twelve times. Said R. Abbin: On the contrary, it seems to be according to R. Dimi, for what is the cause of the fourth man being called to read the Torah? The first of the month. Therefore the fourth man must read the portion of the first of the month. How is it to be decided? R. Joseph said: We must give preference to Hanuka; and Rabba said, to the first of the month. And the Halakha prevails that the main attention must be given to the first of the month, not to Hanuka.

It was taught: When the Sabbath of Shekalim falls when the portion proper to this Sabbath is Thetzaveh* [Ex. xxvii. 20], said R. Itz'hak of Naph'ha: Six persons should read from verse 20 of xxvii. to verse 11 of xxx., and one from verse 11 in xxx. to verse 17. Said Abayi: The people will think the portion is so long, and will not notice that they read the portion Shekalim, therefore he says six should read from 20 in xxvii. to 17 in xxx. (Thetzaveh), and then should come another and repeat from 11 in xxx. to 17 (Shekalim). It was taught: When the first of Adar falls on the eve of Sabbath, said Rabh, the portion Shekalim should be read the preceding Sabbath, because the tables of money-changers are set up two weeks after the reading, and if it will be read on the succeeding Sabbath, they will not be set up on the 15th, but two days later. Samuel, however, said: It should be read on the succeeding Sabbath. The tables will not be set up at all events until Sunday, because they will not begin on the eve of Sabbath, consequently the reading will not cause any delay. Their point of difference is the same as that of the Tanaim of the following Boraitha: There must be an interruption between the Sabbaths, on which must be read the four portions before Passover; so is the decree of R. Jehudah Hanasi. R. Simeon b. Elazar, however, said: No interruption must there be. And he said again: I say, there must be no interruption only then when the first of Adar falls on the eve of Sabbath, but if in the middle of the week, the portion

* In Babylon they read through the Pentateuch once a year, as we do now; in Palestine, once in three years. This question applies to both; it can happen in both that the portion of Thetzaveh before that of Shekalim can come to have to be read when Shekalim should be.

Shekalim must be read on the preceding Sabbath, although the Sabbath is yet in the month Shebat.

"*On the second the portion 'Remember' is to be read.*" It was taught: When Purim falls on the eve of Sabbath, said Rabh: The portion "Remember" should be read on the preceding Sabbath, because, if on the Sabbath after, "Remember" will be read after it has been done (with the reading of the Megilla). Samuel, however, said it should be read on the succeeding Sabbath; and concerning the fact, that the reading of the Megilla must not precede the reading of "Remember," it will not precede in the walled towns, where it is read on the 15th, and then "Remember" will be read before the Megilla. When, however, Purim falls on Sabbath, said R. Huna, all agree it must not be read the preceding Sabbath, but on the same Sabbath. R. Na'hman, however, said: Rabh and Samuel differ also about this. The same was taught also by R. Hyya bar Abba in the name of R. Abba quoting Rabh: When Purim falls on Sabbath, the portion "Remember" should be read the preceding Sabbath.

"*The third, that of the red heifer.*" The rabbis taught: What is meant by the third Sabbath? The one falling after Purim. In the name of R. Hama bar Hanina it was taught: By the third Sabbath is meant the one after which comes the first day of Nisan. They do not differ, however, when the first of Nisan occurs on Sabbath. On the preceding Sabbath the portion of the heifer must be read; and when it falls on a week-day, it has to be read on the Sabbath after Purim.

"*The fourth, that of the new moon.*" The rabbis taught: When the first of Adar falls on Sabbath, the portion Shekalim must be read, and the portion of the Prophets should be about Yehoyada the priest. And what is called the first Sabbath? The one after which the first of Adar falls in the same week, and even on the eve of the succeeding Sabbath. On the second has to be read "Remember," and the portion of the Prophets must be from I Sam. xv.: "I remember what Amalek," etc. And what is called the second Sabbath? When Purim falls on the week after it, and even on the eve of Sabbath after it. On the third Sabbath it must be read about the heifer, and the portion of the Prophets in Ezek. xxxvi. 24: "I will sprinkle upon you." And what is called the third Sabbath? When it falls after Purim. The fourth Sabbath it has to be read about the new moon, and the portion of the Prophets shall be from Ezek. xlv. 18: "Thus has said the Lord Eternal, in the first

month, on the first of the month." And what is called the fourth Sabbath? When the first of Nisan falls in the week after it, and even on the eve of the next Sabbath.

"*On the fifth, they return again to the regular order.*" What order is meant? R. Ami says: To the order of the portions usually read on each Sabbath; and R. Jeremiah says, to the order of the portions from the Prophets (because on these four Sabbaths the portions from the Prophets were different). Said Abayi: It seems to us it should be as R. Ami said, as the Mishna stated above (p. 81) agrees with his opinion.

MISHNA: On the first day of Passover the portion in Leviticus relating to the festival must be read; on Pentecost that commencing "Seven weeks shall ye count," etc. [Deut. xvi.]; on the day of New Year, the portion commencing "In the seventh month, on the first day of the month" [Num. xxix. 7]; on the Day of Atonement that of "After the death" [Lev. xvi.]; on the first day of the Feast of Tabernacles, the portion of Leviticus relative to the festivals must be read; and on the other days of that festival the offerings for each day [Num. xxix. 17].

On the half feast of Hanuka, the portion of the offerings of the princes [Num. vii.] must be read; on Purim, that of "And Amalek came" [Ex. xvii. 8]; on the first of the month, "And on the beginnings of your months" [Num. xxviii. 11]; on the fast-days for the standing men, about the creation [Gen. i.]; on fast-days, the portion containing the blessings and maledictions [Lev. xxvi. 3]; the denunciations therein contained must be read without interruption; namely, one man must read the whole chapter. On Mondays and Thursdays, and on the Sabbath afternoon, they shall read the portion of the Torah in its regular order, but these readings are not available to reduce the regular number, for it is written [Lev. xxiii. 14]: "Moses declared unto the children of Israel the appointed festivals of the Lord." Whence it is inferred that each must be read on the appointed festival to which it refers.

GEMARA: The rabbis taught: On Passover should be read the portions referring to this festival, and the portions from the Prophets should be from Joshua, v. 9, about Gilgal, etc.; and at present in exile, when we keep two days as festivals, the first day should be about Gilgal; the second day from II Kings, xxiii., about Joshiah; the last days of Passover should be selected small portions in which it is spoken about Passover. What are they? (This will be explained further on.) And the last days of Pass-

over—on the first of them should be read [Ex. xiii. 17], "And it came to pass when Pharaoh," and the portion from the Prophets should be from II Samuel, xxii., "And David spoke"; and on the next day [Deut. xv. 19], "All the first-born males," and from the Prophets, in Isaiah, x. 32, "As yet to-day will he remain at Nob." Said Abayi: And now people have the custom to read as follows: "Draw out" [Ex. xii. 21], "When a bullock" [Lev. xxii. 27], "Sanctify" [Ex. xiii. 2], "If thou lend" [ibid. xxii. 24], and "Hew thyself" [ibid. xxxiv. 1], "And the Lord spoke" [Num. ix. 1], and "It came to pass" [Ex. xiii. 17], and then "All the first-born" [Deut. xv. 19]. On Pentecost, "Seven weeks shalt thou number" [Deut. xvi. 9], and from the Prophets, in Habakkuk, iii. An anonymous teacher says [Ex. xix.]: "In the third month," and the portion from the Prophets should be from Ezekiel, i., about the Divine Chariot. And now when in exile we keep two days Pentecost, we do as both have said, but reverse it on the first day of the New Year, as the anonymous teacher, and on the second as above. In the days of the New Year, "In the seventh month" [Num. xxix.], and from the Prophets, "Is not Ephraim a dear son" [Jerem. xxxi. 20]. According to others, "And the Lord visited Sarah" [Gen. xxi.], and from the Prophets, about Hannah [I Sam. i.]. And now when we keep two days, we read on the first about Sarah, and the second, "God did tempt Abraham" [Gen. xxii.], and the portion from the Prophets, "Is not Ephraim" [Jer. xxxi. 20]. On the Day of Atonement we read [Lev. xvi.], "After the death," and from the Prophets [Is. lvii. 15], "For thus hath said the High," etc. And in the Min'ha prayer, we read about the laws of legal marriage [Lev. xviii.], and from the Prophets, Jonah.

[R. Johanan said: In nearly every place where you find the might of the Holy One, blessed be He, you find also His modesty. This is written in the Pentateuch, and repeated in the Prophets, and mentioned a third time in the Hagiographa. In the Pentateuch [Deut. x. 17]: "For the Lord your God is the God of gods, and the Lord of lords"; and the next verse, "Who executeth justice for the fatherless and the widow." It is repeated in the Prophets [Is. lvii. 15]: "Thus hath said the High and Lofty One, who inhabiteth Eternity, whose name is Holy"; and the end of this verse is "yet also with the contrite and humble in spirit." The third time in Hagiographa [Ps. lxviii. 5]: "Extol him who rideth upon the heavens." "The

Everlasting is his name," and the next verse is "A father of the fatherless, and the judge of the widows."]

The first festival day of the Feast of Tabernacles should be read the portion about this feast in Leviticus; and from the Prophets [Zechariah, xiv. 1]: "Behold, a day is coming unto the Lord.". Now when we keep two days, we read on the second the same as on the first, but from the Prophets [I Kings, viii. 2]: "And all the men of Israel assembled." And on the remaining days of the festival we read about the sacrifices of the festival, and on the last day we read "All your first-born," to the end of the chapter, and from the Prophets [ibid. iv. 1]: "And it came to pass when Solomon had finished"; and on the morrow, "And this is the blessing" [Deut. xxxiii.], and from the Prophets [I Kings, viii. 22]: "And Solomon stood."

R. Huna said in the name of Rabh: On the Sabbath in the intermediate days of the festivals, whether Passover or that of Tabernacles, should be read Ex. xxxiii. 12; and from the Prophets [Ezek. xxxvii.], about the dry bones, and on Feast of Tabernacles [Ezek. xxxviii.], about Gog and Magog. During Hanuka the portion in Num. vii. about the offerings of the princes, and from Prophets [Zechariah, iii.], about the candlesticks. And when it happens there are two Sabbaths in the eight days of Hanuka, on the first Sabbath the candlesticks of Zechariah, on the last Sabbath from I Kings, vii. 49, about the candlesticks of Solomon. On Purim [Ex. xvii.], "And Amalek came," and "On the beginnings of your months" [Num. xxviii.]. And if the first of the month falls on Sabbath, it should be read from Isaiah, lxvi. 23: "And it shall come to pass that from one new moon to the other." And when the first of the month falls on Sunday, the preceding Sabbath it should be read from the Prophets [I Sam. xx. 5]: "And Jonathan said unto David, to-morrow is the new moon."

R. Huna said: If the first of the month Ab falls on Sabbath, it should be read from the Prophets in Is. i. 14: "Your new moons and your appointed feasts my soul hateth." On the ninth of Ab itself? What portion do we read from the Prophets? Said Rabh: Is. i. 21: "How became a whore the faithful city?" Said Abayi: And now people have the usage to read from the Pentateuch [Deut. iv. 24]: "When thou begettest children"; and from the Prophets in Jerem. viii. 13: "I will make an end of them."

"*On the fast of the standing men.*" Whence do we deduce

this? (Rashi explains it that the question is what connection there is between the creation and these fasts.) Said R. Ami: If not the standing men, the heaven and earth would not abide; as is written [Jerem. xxxiii. 25]: "If my covenant be not with day and night, I would not appoint the ordinances of heaven and earth." And it is also written [Gen. xvi. 8]: "And he said, Lord God, whereby shall I know that I shall inherit it?" Said Abraham before the Holy One, blessed be He: Creator of the Universe, perhaps if Israel will sin before Thee, Thou wilt destroy them as the generation at the time of the Flood and of the Dispersion of Babel. And He answered: Nay. Said Abraham: Whereby will I know it? And the Lord said: Take Me a heifer three years old (*i.e.*, the sacrifices will forgive their sins). Then Abraham said again: Creator of the Universe, this will be as long as the Temple exists, but what will be when the Temple will be destroyed? And the Lord answered: I have therefore ordained to them the order of the sacrifices, and every time they will read it, it will be considered by Me as if they had offered them, and I will forgive them all their sins.

"*Without interruption.*" Whence do we deduce this? Said R. Hyya bar Gamda in the name of R. Asi: Because it is written [Prov. iii. 11]: "The correction of the Lord, my son, do not despise." (And if there were interruption, it would seem as if the correction were disagreeable to them.) Resh Lakish, however, said: That is because we do not pronounce a benediction over chastisement. What else shall he do? We have learned in a Boraitha: He should begin a verse before the curses, and should end a verse after them. We have learned in a Boraitha: R. Simeon b. Elazar said: Ezra ordained that Israel should read the curses in Leviticus before Pentecost, and those in Deuteronomy before New Year. Why so? Said Abayi, and according to others Resh Lakish: That the curses should end with the year. It is right of Deuteronomy, because then begins a new year; but in Leviticus, before Pentecost, does Pentecost begin a new year? Yea, Pentecost is also a New Year's day, as we have learned in Tract Rosh Hashana, on Pentecost is decided in Heaven about the fruit of the year.

The rabbis taught: From the same place where they stop to read in the Pentateuch on Sabbath in the morning, they begin to read in the Min'ha prayer; and from the same place they should begin on Mondays and Thursdays and the next Sabbath. So is the decree of R. Meir. But R. Jehudah said: From the

same place where they had stopped the last Sabbath, they should begin at the Min'ha prayer, and Mondays and Thursdays, and also the next Sabbath. Said R. Zera the Halakha prevails so. The rabbis taught: One shall open the Holy Scrolls and look on them, then pronounce the benediction, then read. R. Shephatia said in the name of R. Johanan: He who rolls together the Holy Scrolls, shall do it so that the sewn rolls should be in the middle, so that it be done easily. The same said again in the name of the same authority: They may be rolled together only from outside, but not from inside, so that the letters should not be seen outside. When one holds scrolls himself, and has to find in it something, he should not begin to roll away from his person, because one scroll might fall down, but he should roll them toward his person, so that they should remain on his knees. When he rolls them from both sides, he should begin with the side toward his person, because if from the other side, a man will be unable to see at a distance what is written in them, and it is a duty to let him see.

The same says again: If ten men have read in the scrolls, the greatest of them should roll them together, for R. Joshuah b. Levi said: He who rolls them together, is rewarded as much as all of them together.

He says again: Whence do we know that we may avail ourselves of a Heavenly voice? Because it is written [Is. xxx.]: "Thine ears shall hear a thing from behind them." When is this the case? When one hears a male voice in town, and a female voice in the country, and when it says: "Yea, yea," or "Nay, nay." The same says again in the name of the same authority: Who reads without sweetness, and learns without a chant, of him says the verse in Ezekiel [xx. 25]: "And I also have given unto them laws that are not good." Abayi opposed. Shall I say, because he cannot make sweet his voice, the above verse should be applied to him? Therefore we must say as R. Mesharshia said elsewhere, that if two scholars are in one town, that contradict themselves in Halakha, to them is the above verse applied.

Said R. Pornach in the name of R. Johanan: Who handled the Holy Scrolls, while naked,* *will be buried naked.* Said R.

* According to Rashi, it applies to the scrolls; Mordchai Plungian, however, in his "Alphai Menashe," interprets it in the name of Menashe of Ila that it applies to the man, which seems to be more correct, though he was persecuted for this interpretation.

Janai the son of R. Janai the Elder: It is better that the mantle of the Holy Scrolls should be inserted between the scrolls than *vice versa*. It is written [Lev. xxiii. 44]: "And Moses spoke of the festivals of the Lord to the children of Israel"; *i.e.*, he told them the merit of reading the portions of the Torah each in its time. The rabbis taught: Moses ordered to Israel they shall discuss and lecture on the subject of the day: the Halakhas of Passover on Passover, the Halakhas of Pentecost on Pentecost, and the Halakhas of Tabernacles on the Feast of Tabernacles.

END OF TRACT MEGILLA.

# TRACT EBEL RABBATHI (GREAT MOURNING), OR SEMA'HOTH (JOYS).

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# SYNOPSIS OF SUBJECTS

OF

# VOLUME VIII.—EBEL RABBATHI.

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CHAPTERS I. to III. One who is in agony of death is regarded as alive in all respects. How so? May the inhabitants of a village greet each other if a death occurs in their community? How shall a suicide be buried, and who is considered such? Suicide of a minor. The burial of one judicially executed. That of one separating himself from the congregation, and of those stealing the duties. At what age are poor children to be lamented, and at what age rich ones? The funeral meal. At what age is death considered Kareth (short life)? The days of sickness. The legend about the conversation of the Angel of Death with many of the Amoraim, . . . . . 1–11

CHAPTERS IV. and V. Who are considered relatives of the first and second degrees? The regulations of an *Onen* (a mourner before the burial of the dead), and the period of Aninuth (see Commentary, p. 13). Over what relatives priests and high-priests may defile themselves. The decision of the sages as to the exhumation of a body for the purpose of examination as to age, and the reasons therefor. For what purposes the high-priest may or may not leave Palestine. Who is considered a Meth-Mitzvah (see Commentary, p. 17), and what shall be done with him, and how a Meth-Mitzvah was the incident which caused R. Aqiba to be counted among the wise. What work may and what may not be done by a mourner. What must be observed during the seven, the thirty days, and during the whole year of mourning. The exact periods for weeping, lamenting, not to calender clothes, and not to cut the hair, which must not be exceeded. Whence is it deduced that mourning lasts for seven days? When one mourning succeeds another. The regulations concerning the ban and for how many days it shall continue, . . . . . 12–23

CHAPTERS VI. and VII. What a mourner may read, what clothes he may wash, and if he may or may not wear shoes. When he may leave his house, and what seat he may occupy when in the prayer-house. What was done with mourners and others having trouble when entering the Temple. Ordinances in detail relating to calendering clothes, cutting the hair, etc., etc., etc., during the thirty days. What happened to Mar Samuel with his brother Pin'has during their mourning. The period after which it is allowed to remarry after the death of one's wife, . . . . . 23–30

CHAPTERS VIII. and IX. The different opinions about the canopy that is to be made for a dead bridal couple, and what eatables may be destroyed in their honor. The execution of Simeon, Ishmael, Aqiba, etc., and the lamentation over them by the sages, in detail. The *a fortiori* conclusion, drawn from many biblical passages, how a man must avoid to come in contact with evil subjects. About what dead relatives must one rend his garments, and the rending of garments over scholars, chiefs of a college, etc. When the rent may be mended. The size of the rent. If a mourner travels from one place to another. The obligation of lowering the couches and when they may be placed in proper condition. The saving of the garment which was upon the dead, . . . . . 30–45

CHAPTERS X. to XII. From the performance of what religious duties a mourner is exempt. The funeral meal. The standing in line of the consolers. What may and what may not be discussed in the presence of a dead body. The burial of rich and poor people and that of scholars, and what happened to Aqiba when his son died. The difference in the burial and lamentation of a man and a woman. The preference of way of a bridal procession over that of a funeral, and what happened to King Agrippa. The sweeping and the besprinkling of a mourner's house. A recent and remote information. The different societies that were in Jerusalem for attending weddings or funerals, etc. The four sages that came to console R. Ishmael when his sons died, and what they said. When the consolers are permitted to speak consolation. About the burial of the bones of two dead bodies in one grave. The saying of R. Eliezer b. Zadok as to what his father commanded him in regard to his burial, and what Abba Saul said in his will to his son. When a hearse is used. What Hanina b. Teradion did when his son was executed as a robber, . . . . . 45–57

CHAPTERS XIII. and XIV. From what religious duties a gatherer of bones is exempt. The places in which bones and the Scriptures must be placed when being removed. When is it allowed to remove a corpse from one grave to another? If it is allowed to bury two corpses, or one corpse and bones of another corpse, in one grave. If benefit may be derived from a building over a vacant grave or from a vacant coffin. How a cemetery must not be considered *vilely*. If graves may be changed from one family to another. Is occupancy (*Hazakah*) considered with graves? The three different kinds of graves. A cemetery which surrounds the city on three sides. The seven standings and sittings after the burial. The ten goblets of wine that the sages have ordered in the house of a mourner. What shall be said in the fourth meal benediction in the house of a mourner? 57–62

# EBEL RABBATHI (GREAT MOURNING), OR SEMA'HOTH (JOYS).

## CHAPTER I.[1]

*A.* One in the struggle of death is to be regarded as living in all respects. He still binds the dependents to the law of Yibum,[2] and he exempts from the same.[3] He makes his dependents eat of heave-offerings,[4] and prevents them from eating it.[5] He inherits and makes others inherit.[6] When a limb or a piece of flesh is removed from him, it is regarded as of a living man.[7] The blood of his sin-offering and transgression may be sprinkled until he dies.[8]

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## EDITOR'S COMMENTARY.

### CHAPTER I.

[1] As the chapters are short, their contents will be found in the Synopsis.

*A.* [2] If he is the only brother of him who died childless, the widow cannot marry again until he dies. And if it happened that she did marry in that time, the marriage is considered null and void. [3] If he is the only son of his father who died at that time, he is considered as a living child, and to exempt the widow from Yibum or Halitzah. [4] His wife or slave if he is a priest, also his mother if she was the daughter of a commoner. [5] If his wife was the daughter of a priest, and he a commoner [Lev. xxii. 12–14]. [6] For instance, if his mother dies at that time and leaves property to him, it is considered his; so that when he dies his relatives on his mother's side inherit from him, but not those on his father's. See Nidah, 44*a*. [7] It is not a subject of defilement, to make him who touches it or the tent which contains it unclean, if it has not a certain quantity, as will be explained farther on. [8] The blood of an offering can be sprinkled only when the offerer is alive, and has a substitute in the Temple.

*B.* His mouth must not be closed, nor his openings stopped. No metal vessel or anything which chills[1] must be put on his navel till he dies, as it is written [Eccl. xii. 6]: "While the silver cord is not yet torn loose."

*C.* He must not be moved, nor put on sand or salt, until he dies.[1]

*D.* His eyes must not be closed. Whoever touches or moves him is regarded as a shedder of blood.[1]

*E.* His relatives may not rend their clothes nor remove their shoes nor lament over him, nor may the coffin be brought into his room, till he dies.

*F.* His death must not be announced, nor his deeds proclaimed, until he dies; R. Jehudah, however, said: If he was a wise man, the latter may be done.[1]

*G.* Greetings must not be exchanged when there is a death in a village, but it may be done in a greater city. An infant cut or torn at birth, a miscarriage, or born alive at the eighth month, or born dead at the ninth—all the religious ceremonies do not apply to it.

*H.* The same is the case with an idolater or bondsman, nevertheless they may exclaim over him: "Woe, lion! lion! Woe, hero!"[1] R. Jehudah said: (It may be said also:) Woe, trusted man, who lived by his labor! They said to him: If so, what is there left to say of the upright? He rejoined: If he was righteous why should this not be said of him?[2] No consolation is needed (on the death of) male and female slaves.

*I.* It happened when the female slave of R. Eliezer died, his disciples went to console him. When he saw them he went into

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*B.* [1] See Sabbath, p. 353.

*C.* [1] As was the custom at that time.

*D.* [1] For the reason, see ibid., Mishna and Gemara thereon; here, however, this is said in the name of R. Meir.

*F.* [1] Not in his presence, but people may say among themselves: "What a great loss we have in the death of the man who did so and so." Some say even in his presence, because he is used to hear his praises, and will not be alarmed; but we do not find any basis for this assertion.

*H.* [1] If they were worthy of such a lamentation. [2] It seems to us that this is said of a bondman only, but not of an idolater, as an idolater, even if he was a Gentile, is called a sinner according to the Talmud, which declares that idolatry was prohibited to Noah for all nations.

the yard, and they followed him; he returned to the house, and they followed him. He then said to them: I thought that you might be scalded with lukewarm water, now I see that you cannot be scalded even with boiling. Have I not taught unto you: No consolation is needed (on the death of) slaves?

*J.* When Tebbi the slave of Rabban Gamaliel died, the latter accepted consolation. Said his disciples to him: Our master! hast thou not taught unto us that no consolation is needed on slaves? He rejoined: My slave Tebbi cannot be likened to other slaves; he was a righteous one.

*K.* He also permitted him to lay Tephilin. Said his disciples: Our master! hast thou not taught unto us that slaves are exempt from Tephilin? And he made the same rejoinder.

*L.* Slaves must not be distinguished as Father so and so, or Mother so and so.[1] The household of Rabban Gamaliel, however, used the distinction of "Father Tebbi" and "Mother Tebbitha" to the above-named and his wife.[2]

*M.* Ancestors must not be distinguished as the fathers of the nation (or the tribes), except the three Patriarchs; nor mothers of the nation, but the four mothers.[1]

## CHAPTER II.

*A.* A suicide must be buried without any ceremony. R. Ishmael said: It may be exclaimed: Alas, suicide! Alas, suicide! Said R. Aqiba to him: Leave him alone. Do not honor nor abuse him.[1] No rending, no removal of shoes, and no lamenting. They may, however, stand in line,[2] and say over

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*L.* [1] The word Abba, which means "Father," was a title at that time, as "Reverend" is now, or as the Catholics entitle their superiors of the Church and nunneries "Father" and "Mother." [2] In Midrash Rabbah [Lev. chap. xix.] is to be found Tebbitha, the female slave of Rabban Gamaliel, presumably Tebbi's wife.

*M.* [1] Sarah, Rebeccah, Rachel, and Leah, the wives of our patriarchs. See Berachoth.

## CHAPTER II.

*A.* [1] With the saying that you lament him, you also blame him that he committed suicide. It is, therefore, better that nothing should be said. [2] When the mourners return from the burial, all those who accompanied them stand in two rows, through which the

him the mourners' benedictions, because it is for the honor of the living. This is the general rule: Whatever is for the honor of the living may be done; but everything which is not for their sake, it is not imperative for the congregation to do for such.

*B.* Who is to be considered a suicide? If one ascended to the top of a tree or a roof, and he fell down and was killed,[1] he must not be considered a suicide, unless he says previously: "I am going to drop myself!" and immediately afterward it was observed that he did so; then it is to be considered a suicide, and he shall be buried without any religious ceremonies.

*C.* When one is found hanging on a tree strangled, or lying on a sword killed, he is not to be considered a suicide, and nothing may be withheld from him.

*D.* It happened to the son of Gornos in Lud, who ran away from school, that his father threatened him. Being afraid of his father, he drowned himself in a pit. When R. Tarphon was inquired about him, he said: Nothing shall be withheld from him.

*E.* It happened to a lad at the city of Bene-Berak, who broke a glass on the Sabbath, that his father threatened him. Being afraid of his father, he drowned himself in a pit. It was told to R. Aqiba, and he said: Nothing shall be withheld from him.[1]

*F.* From this the sages declared: One shall not threaten a child. He shall either punish him immediately, or he shall keep silence. Said R. Simeon b. Elazar: Lust, children, and women should be repulsed with the left, and attracted with the right hand.[1]

*G.* Those who are put to death by the decision of a court must be buried without any ceremonies. Their brothers and relatives may come and greet the witnesses and the judges, to show them that the judgment is considered just, and that they

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mourners pass, and each one consoles them. So was the custom at that time, and in some congregations it is still extant. The mourners' benediction (Tzidduk Hadin) is said in the cemetery just after the interment.

*B.* [1] Although he said he would do so sometime previous.

*E.* [1] According to Rashi, Mishna *A* is incomplete, and must read thus: But if the suicide was a minor, it is different. He said so, that the decisions of Aqiba and Tarphon should not contradict it.

*F.* [1] To all these three, to which human beings are attracted naturally, it is advisable not to be subject, but at the same time, when he attracts them with the right, he shall try to repel them with the left when necessary.

have nothing against them; that they do not mourn for them loudly, but are sorry for them, as sorrow is only in the heart. Rabbi Nathan, however, said: There is no difference between silent sorrow and loud weeping.[1]

*H.* No funeral meal[1] must be prepared for them, as it is written [Lev. xix. 26]: "Ye shall not eat upon the blood."[2]

*I.* Whoever separates himself from the congregation, nobody shall have anything to do with him. And when he is dead, his brothers and other relatives may dress and wrap themselves in white, eat, drink, and rejoice that the enemy of the Place[1] is lost [Ps. cxxxix. 21]. This verse, with the following, is to be explained thus: Why do I hate them with the utmost hatred? Because they have separated themselves from me, and become my enemies.

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*G.* [1] *I.e.*, both are permitted or prohibited.

*H.* [1] It is customary that when the mourner returns from the cemetery his consolers bring with them food for the first meal, and in the ancient times they dined together with him. The custom of dining together was abolished because of the poor, who could not afford the outlay for it; so the costly shrouds were also prohibited, as it is explained farther on. But the bringing of food to the mourner is in vogue even to-day. The reference to the passage mentioned in the text means to say, you shall not dine with such a mourner, whose death occurred for the crime of bloodshed (as the capital punishment by the court was only for bloodshed, as will be explained by us in Tract Sanhedrin). It is self-evident that the literal translation of this passage does not mean so, but the sages took this passage as a support to many things. They take this passage elsewhere as a support that one must not eat before the morning prayers, and they explain it: "Ye shall not eat before ye have prayed for your blood"; but they nevertheless use the language as if it would be so written. [2] The continuation of this Mishna will be found in Tract Sanhedrin in a Mishna in Chap. VI.

*I.* [1] In many places the Talmud gives to the Lord the appellation "Place," for the reason which is explained elsewhere, that He, the Lord, is the place of the world (it means that He bears the entire world), but the world is not the place of Him (because He does not merely fill the world, but He also expands out of the world). Others translate it "Omnipotent," which needs no commentary. We will do the same in our further translations. We made an exception here, however, to explain the meaning of this term in the text.

*J.* The same is the case with those who steal the duties, or steal from devoted things, they are considered as shedders of blood; and not merely that, but also as idolaters, adulterers, and intentional violators of the Sabbath.[1]

*K.* From those who are killed by the government, nothing may be withheld, nor from those who were drowned in the sea or a river, or were eaten by a wild beast. From what time must the day of the mourning for them be counted? Since the time that they have despaired of finding. If separate limbs are found, it cannot be counted till the head and the greater part of the body are found. R. Jehudah said: The backbone and the skull are considered as the greater part of the body.

*L.* If a husband or wife, or parents, were crucified in the town, the wife, the husband, or the children shall not live in that town, except it be as large as Antioch, and even then they must remove to another part. Until what term are they not allowed to live there? Till the flesh is totally destroyed, and the bones cannot be recognized any longer.[1]

## CHAPTER III.

*A.* An infant a day old must be regarded by his parents as if he would be a bridegroom;[1] and not merely a day old, but even if the head and the greater part of the body came out alive. The expression of "a day" is used by the sages because it is more usual.

*B.* An infant dying at birth is interred attended by one woman and two men, and is carried in the hand. Abba Saul, however, said: By two women and one man. The sages ob-

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*J.* [1] We translate here according to the corrections of Elias Wilna, as we follow his corrections throughout the tract.

*L.* [1] It refers to the barbarous times in which, when the government hanged a person, the body was never removed. We conclude this chapter here, as the following Mishna is taken in in Kethuboth, as the proper place.

CHAPTER III.

*A.* [1] See Nidah, 44*b*, where it is explained that an infant even a day old must be regarded as a bridegroom, if someone kills it, and the same language is used here.

jected to him that one woman is allowed to be with two men in a separate place, but not *vice versa*. No line of consolers is formed, no mourners' benediction is said, until it is thirty days old. From the age of thirty days till a twelvemonth it may be attended by men and women, and is carried in a case under the arm. From the age of one to three years it is attended by the same, with the addition that it may be carried in a case on the shoulder. R. Jehudah, however, said: If the father desires, a coffin may be brought to the cemetery to bury it in, even if it is not three years old.

*C.* At the age of three it is carried in a hearse. R. Aqiba, however, said: If it is three years old, but looks like two, it is not carried in a hearse; but a hearse may be used for those who look like three even if they are less. Simeon the son of the brother of Azariah said: Anyone borne in a hearse, his praises may be proclaimed. R. Meir in the name of Elazar b. Azariah said: If when he was alive he used to play on the street and was known to the people, then they are obliged to attend, but not otherwise. R. Jehudah, however, said in the name of the same: Even if he was known only to his neighbors.

*D.* Regarding lamentations, R. Meir in the name of R. Ishmael said: The poor are lamented from the age of three, and the rich from the age of five; R. Jehudah, however, said in the name of the same: The poor from the age of five, and the rich from the age of six. R. Aqiba said: The poor from the age of six, and the rich from the age of seven.[1] The poor are lamented the same as the rich, the rich as the children of the sages, and they as the princes.[2]

*E.* A child that was able to act for himself may be lamented for his own virtues; if he has none, for those of his parents; if his parents have no virtues, for those of his other relatives. A bride may be lamented either for the virtues of her father or father-in-law, as honors should be exaggerated and not diminished. No honor is to be invented, but may be added to the original.

*F.* In Jerusalem they used to say: "Prepare good things, they shall be used *before* thy hearse." In Judah, however, they

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*D.* [1] Rashi explains this: Because the pain of the poor on the death of their children is much greater than that of the rich, as their children are their only joy, having no others. [2] It means that no distinction must be made from the rank of the parents, but from the corpse itself, as all Israel is alike in pedigree.

used to say: "They shall be used *behind* thy hearse." Because in Jerusalem the lamenters used to walk in front of the hearse, and proclaimed only the virtues which he possessed; and the people who were behind the hearse, even such as he did not. And in Judah the lamenters were behind the hearse, and they spoke only of the virtues which he possessed; and the people who were behind them did not repeat anything.[1] From the age of three to thirty, one is lamented as if he were a bridegroom;[2] from thirty to forty he is lamented as a brother;[3] from forty to fifty as a father.[4]

*G.* R. Simeon b. Elazar said: From the age of thirty to forty, if he has children, or if most others of his age have grandchildren, he is lamented as a father; otherwise, as a brother.[1]

*H.* One dying under the age of fifty, it may yet be considered as if he were under the punishment of Kareth (short life). When, however, he reaches the age of fifty-two, this was the death of Samuel the Prophet; at the age of sixty, this is the death mentioned in the Scriptures, as it is written [Job, v. 26]: "Thou wilt go in a ripe age unto the grave." At seventy it is considered old age, as it is written [Psalms, xc. 10]: "The days of our years in this life are seventy years." At eighty it is considered uncommon vigor, as it is written [ibid.]: "And if by uncommon vigor they be eighty." "Above that age it is a life of affliction, and so said Barzillai the Gileadite to David," [II Samuel, xix. 36].

Death after only one day of sickness is a death of wrath; at two days, it is a death of terror; at three days, a death of pest; at four and five days, a hastened death; at six days, it is the death mentioned in the Torah; at seven, it is a death of favor;[1] more than that, it is a death of suffering.

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*F.* [1] We have translated according to the corrections of Elias Wilna, and as Rashi explains it in Sabbath, 153*a*, old edition. [2] It means to say, as he was in the best vigor of his life, the lamentations were as great as if it had happened to a bridegroom standing under the canopy. [3] It means that he was an active member of society, and his loss is felt by everybody. [4] Who was active so long that he was considered as a father.

*G.* [1] One of the commentators supposes that at that time there were separate customs for a father, brother, etc. It seems to us, however, that our interpretation is right.

*H.* [1] As six days are enough for one to reconsider all he has done in his life and to make his will, leaving the seventh for the purpose

The rabbis taught:[2] One who dies suddenly, he is said to have died an abrupt death; if the death was preceded by one day's sickness, it is a hastened death. R. Hananiah, however, said: The latter case is termed a plague-death, as it is written [Ezek. xxiv. 16]: "Son of man, behold, I will take away from thee the desire of thy eyes by a sudden death (plague)"; and it is stated again [ibid. 18]: "And when I had spoken unto the people in the morning, my wife died at evening." If it was preceded by a two days' sickness, it is a hurried death; if by a three days', it is a reproach; if by a four days', a rebuke; but if preceded by a five days' sickness, it is an ordinary death. [Said R. Hanin: From what biblical passage is this adduced? From (Deut. xxxi. 14): "Hehn korvu yomechu lomuth" (Behold, thy days approach that thou must die). "Hehn" means "one" in Greek; "korvu" (in the plural) is two; "yomechu" (in the plural) is also two; altogether five.] Death at the age of fifty is Kareth (cut off); at fifty-two, the age at which Samuel of Ramah died; at sixty, a death by Heaven.[3] [Said Mar Zutra: Whence is this adduced? From (Job, v. 26): "Thou wilt go in a ripe age, בכלח, unto the grave," the numerical value of the letters of בכלח[4] being sixty.] Seventy is called an old age; eighty, an age of uncommon vigor, as it is written [Psalms, xc. 10]: "And if by uncommon vigor they be eighty." Rabba, however, said: "From fifty to sixty it is Kareth; and the reason why this is not stated in the Boraitha is because of the honor of Samuel." When R. Joseph arrived at the age of sixty, he gave an entertainment to the rabbis, for he said: "I have passed the age of Kareth." Said Abayi to him: "It is true that the Master has passed the *age* of Kareth, but has then the Master already passed the *day* of Kareth?" And he answered him: "Be content for the present with half." R. Huna died suddenly, which caused the rabbis great worry. A couple

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of taking his leave from his family. Where, however, six days of sickness are mentioned in the Torah we cannot imagine, nor do we find it in any of the commentators.

[2] All paragraphs beginning with, "The rabbis taught," or with italics, are transferred from Moed Katan (see there note, p. 27). The paragraphs not so beginning will be marked in the Commentary *Gemara*.

[3] There are different penalties for crimes: Kareth; death by Heaven; and death by the court, which latter was in four different forms.

[4] This Hebrew word aggregates sixty; namely, the first letter (from right to left) counts two, the second twenty, the third thirty, and the last eight.

of sages of Hadaeb taught them: "It was stated (regarding a sudden death), only when the deceased has not reached the age of eighty; but if he has, it is, on the contrary, considered a death caused by a kiss." Rabha said: Longevity, fertility, and maintenance do not depend on virtue but rather on fate, as is illustrated by the case of Rabba and R. Hisda, both of whom were upright rabbis and both could bring down rain by their prayers, and still R. Hisda died at the age of ninety-two and Rabba at the age of forty. In the house of R. Hisda there were sixty marriages, while in that of Rabba there were sixty deaths. In the house of R. Hisda there was fine white bread in such an abundance that even the dogs did not care for it, while in that of Rabba there was not sufficient barley bread for human beings. Rabha further said: Three things I prayed Heaven to grant me. Two were granted, the third one not: the wisdom of R. Huna and the riches of R. Hisda were granted me, but the modesty of Rabba bar R. Huna was denied to me. R. Seorim (Amram), the brother of Rabha, was sitting at the bedside of Rabha when the latter was in his last agonies. Said Rabha to him: "Let the Master tell him (the angel of death) not to cause me any pain." And he answered him: "Is, then, the Master himself not a friend of him?" Rabha rejoined: "As my fate was already referred to him, he will not care for me any more." R. Seorim then said to the sick: "I would like that the soul of the Master should appear before me." When it was so, R. Seorim asked: "Had the Master felt any pain?" (at the time of the separation of the soul from the body), and he answered: "It was as if pinched with the lancet." Rabha was sitting at the bedside of R. Na'hman when he was in his last agonies, and the latter said: "Let the Master tell him (the angel of death) not to pain me." And he said to him: "Is not the Master a prominent person?" (to tell him so himself). And he answered him: "Who is esteemed, or worthy, or who can contend (at such a moment)?" He then said to the dying: "Let the Master's soul appear before me." When it was so, he asked him: "Had you pain?" And he answered: "It was as easy as to remove a hair from milk; and yet, if the Holy One, blessed be He, would command me to return to the world I was in I would pray permission not to do it, for the fear (of the angel of death) is too great." R. Elazar was eating Trumah (heave-offering) when the death angel appeared before him, and he said to him: "You see that I am now eating Trumah, is it not sacred?" And the appropriate moment passed

over. To R. Shesheth he presented himself in the market, and he said to him: "Do you wish to take me when I am in the market, as if I were an animal? Come to my house." When he presented himself to R. Ashi in the market, the latter said to him: "Extend my time thirty days, so as to enable me to review my studies, as ye say: 'Happy is the person who comes here possessed of his studies.'" On the thirtieth day he appeared again, and R. Ashi said to him: "Why such punctuality?" And he answered him: "You interfere with Bar Nathan, as no regency must interfere with another, even as much as a hair (*i.e.*, R. Nathan cannot become the head of the college so long as you are alive)." R. Hisda could not be overpowered (by the angel of death), for he kept on studying all the time, and the death angel climbed up and hid himself in a cedar in front of Rabha's house. When the cedar broke down, R. Hisda discontinued his study for a moment and he was overpowered at that moment. R. Hyya was inaccessible (to the angel of death). One day he transformed himself into a mendicant, and knocked on the door and asked for a slice of bread. When R. Hyya handed him what he asked for, the angel said to him: "Does not the Master have mercy with a poor man? Why does the Master have no mercy with me? I am the angel of death." And as proof, he showed him the fire-rod. R. Hyya then delivered up his soul to him.

*I.* Said R. Hanina b. Antigonos: If an old man has eaten forbidden things, or intentionally violated the Sabbath, the punishment of which is Kareth,[1] and he is over the age that short life should be applied to him, what will signify to us that his death was that of Kareth? Therefore we must consider that he who died after only three days of sickness, it is a death of Kareth; at four days, it is a hastened death, etc. Said R. Jehudah: The pious of ancient times have suffered of the sickness of the intestines two or three days before their death,[2] for the purpose of cleaning their bodies of all food and drink, that they should enter clean in the world to come, as it is written [Proverbs, xxvii. 21]: "(As) the fining-pot is for silver, and the furnace for gold, so is a man (proved) according to his praise."

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*I.* [1] Leviticus, vii. 25. [2] According to Elias Wilna's corrections, and according to him, it is to be understood that R. Jehudah opposes R. Hanina b. Antigonos, and maintains that even a pious man may die in two or three days. The text, however, reads twenty days.

## CHAPTER IV.

*A.* For relatives of the first degree—*e.g.*, father, mother, son, daughter, brother, wife, and sister—a priest may defile himself. R. Aqiba said: For those of the second degree[1] he mourns and is prevented also from services, which he must not perform when his dead is not buried; but he must not defile himself.

*B.* R. Simeon b. Elazar, however, said: He may defile himself for his grandfather and his grandson, but the sages[1] say: For whomsoever he is obliged to perform all the ceremonies of mourning, are to mourn with him, but not otherwise. If it was doubtful, however, whether the deceased was his brother or son, or not, he mourns and is considered an Orvan, but he must not defile himself.

*C.* For his betrothed he must neither mourn nor defile himself. The same is the case with his divorced wife, although he has children by her.

The rabbis taught: Over all those of which it is written in the chapter relating to priests [Lev. xxi.], that a priest may defile himself on them, an ordinary person must mourn, and they are the following: wife, father and mother, brother and sister, son and daughter. To these were added: his brother and virgin sister by his mother, and his married sister either by his mother or by his father. And also over all their second degree of consanguinity. Such is the dictum of R. Aqiba. R. Simeon b. Elazar, however, holds that it extends only to his grandson and his grandfather. The sages, however, laid down the

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## CHAPTER IV.

*A.* [1] Grandfather, grandmother, grandson, etc.

*B.* [1] The sages differ with R. Aqiba, who says: That for the second degree he must not mourn at all, and it is to be understood so: Whoever is obliged to perform all the mourning ceremonies, *e.g.*, not to sit in a chair, not to put on the shoes, etc., which are customary for the first degree, then also the priest must mourn and defile himself; but for the second degree, for whom he is not allowed to defile himself, the mourning is also unnecessary for him. The case where mourning without defilement can be found is only when it is doubtful, the doubtfulness meaning when the woman who bore the child was suspected.

following rule: "Over whom one is bound to mourn, *with* him he must mourn."[1] Does not the rule of the sages state the same thing stated by the first Tana? There is a difference as to those who are *with* him in the same house.[2] Rabh once said to Hyya his son, and so also said R. Huna to Rabba his son: "In her (wife's) presence observe mourning, but not in her absence." Mar Uqba's brother-in-law died, and he was inclined to observe both the seven and the thirty days. When R. Huna came to him and found him mourning, he said: "Dost thou desire to partake of the mourning-meal? The rule that one must observe mourning out of respect for his wife, extends only to father-in-law and mother-in-law." We have also so learned in a Boraitha: "Ameimar's grandson died, and he rent his garment. When subsequently his son arrived he rent again in his presence, and when he afterwards recollected that he was seated at the time he rent, he arose and rent once more."

*D.* [What is the term for Aninuth?[1] From the time of death till the interment, such is the dictum of R. Meir. The sages, however, say: One day only.] If a high-priest has married a widow against the written Law; or an ordinary priest has married a divorced woman, or one who has performed Halitzah, he may mourn for her, and has to keep the term of Aninuth, but must not defile himself.

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[1] *E.g.*, for a father for whom one is bound to mourn, if the father mourns for his father, the son may mourn with him. The same is the case with a son for whom the father is bound to mourn, if the son mourns for his son the father mourns with him. (Rashi.)

[2] It means that according to the sages the grandfather or the grandson is bound to mourn only when the father or the son is mourning in the house. (Rashi.)

*D.* [1] The term "Onen" in the Talmud means one of the relatives of the deceased, just after he departed and before the burial. It is derived from Genesis [xxxv. 18]: "Ben Oni." (See Leeser's translation, who did not translate *Ben Oni*, but inserted the words as written. He nevertheless translates Deut. xxvi. 14: "I have not eaten thereof in my mourning," the Hebrew term for which is the same, which is surprising.) The law of an Onen is, that only the high-priest may perform his service when a death occurs in his family; an ordinary priest, however, must not; and if he does, he violates the law. Hence is the question here, how long the term of Aninuth must be kept. According to R. Meir, even if there are several days from death to interment, the entire law of it must be observed; but according to the sages only one day, as it is explained elsewhere—from morning till evening.

*E.* For his sister, if she is betrothed,[1] R. Meir and R. Jehudah say he may defile himself. R. Jose and R. Simeon hold that he must not.[2]

*F.* If he has married a virgin but without virginity,[1] according to R. Jose and R. Meir he defiles, and according to R. Simeon he may not. If he has married a forced[2] or a seduced woman, all agree that he may not. If he married a *vigaros*,[3] all agree that he may.

*G.* The general rule which R. Simeon laid down is: For every woman who was fit for the high-priest when she was yet a virgin he may defile himself, but not otherwise.

*H.* For all those of whom it was declared that a priest may defile himself, it is not meant as a permission but as an obligation. So also said R. Aqiba; R. Ishmael, however, said: It is meant as a permission.[1]

*I.* It happened to Joseph the priest that his wife died on the eve of Passover, and he was reluctant to defile himself, so his colleagues pushed him on her and defiled him against his will, saying: It is not a permission but an obligation.

*J.* Until what time may he defile himself? R. Meir said: That whole day; R. Jose said: Until three days; R. Jehudah in the name of R. Tarphon says: Until the grave is closed.

*K.* It is related that when R. Simeon b. Jehozadok died at Lud, his brother Johanan came from Galilee to defile himself with him, after the grave was already closed. When the sages were asked about it they decided: He must not defile himself; however, the grave may be opened to enable him to see him.

*L.* It happened that a youth died and left his property to strangers, and left out his family. His relatives complained,

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*E.* [1] The high-priest. See Lev. xxi. 3. When she, however, is not married, but betrothed; hence the difference of opinion. [2] The names are corrected according to Tract Jebamoth, p. 60.

*F.* [1] Without virginity—through sickness, or she has lost it through something else; and according to the sages, the high-priest was not allowed to marry one who had lost her virginity, whatever the reason. [2] Forced—Deut. xxii. 28. [3] *Vigaros*, also without virginity, but only through age; therefore all agree that in marrying her he does not commit any transgression, as he himself could not know it.

*H.* [1] See Elias Wilna.

and demanded an examination.[1] When the sages were asked, they decided not to do so, because as soon as the grave is closed the corpse must not be moved. According to others: As soon as one dies, his hair is changed.[2]

*M.* An ordinary priest who is defiling himself with relatives must not do the same with a stranger, even at the same time, in case the stranger has sufficient attendants; but if he has not he may defile himself, and afterward retire to an undefiled place. The same is the case when he begins, and others come to relieve him.

*N.* When there were two roads, one short but unclean and the other long but clean, if the people went on the long one he should accompany them, and if the people took the short road he should go with them, for the honor of the people.

*O.* If he was engaged in burying his dead, so long as he is in the grave he may receive from strangers for burial, but if he was out he must not return.

*P.* If he has defiled himself on the same day, R. Tarphon makes him culpable to a sin-offering, and R. Aqiba makes him free. All agree, however, that he is culpable when he does so on the morrow, because he has added one more day to be unclean, as he must count seven days after the last defilement.

*Q.* A priest may defile himself for relatives even if they are not fit for the priesthood; *e.g.*, for his son, daughter,[1] brother or sister, begotten by a temple-servant or bastard, except for those begotten by a slave or a Gentile.[2]

*R.* A high-priest who defiles himself with the dead, or bares his head, or rends his garments, is liable to the punishment of stripes.

*S.* For all uncleanness for which a Nazarite must shave off his hair, he is liable to stripes; otherwise he is not.

*T.* A high-priest who enters a cemetery is liable to stripes.

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*L.* [1] If he was of age to make a will. [2] It is difficult to understand the real meaning of it. It seems to us that it means that the examination of the hair could decide nothing, as it could have grown after the death.

*Q.* [1] If they were born by a woman whom he married unlawfully. [2] According to the Talmud, an illegitimate child begotten by parents of two different creeds without being married, must be considered according to the creed of the mother; hence they are not his children.

*U.* If he enters the yard of a cemetery, or if he goes outside of Palestine, he is liable to chastisement (rabbinically).

*V.* If he enters a field where there is a lost grave, he is not culpable till he traverses every bit of it.

*W.* A priest may defile himself by going outside of Palestine to attend a civil or criminal court; to sanctify the month; to intercalate the year, and to save his field from the idolaters. He may bring a complaint and sign it in their courts; however, he must first make a declaration that he is going for this purpose.

*X.* He may also leave Palestine for the purpose of studying the Law, or to get married. Said R. Jehudah: He may do the former when there is nobody in the place to learn from; otherwise he may not. R. Jose, however, said: Even if there is one to learn from he may do so, because not everyone can teach. It happened to Joseph the priest that he went to his master to study the Law; he went outside of Palestine to R. Jose in Zaidin.

*Y.* A priest may defile himself with a piece of bone of his father's body, even if it was as large as a grain of barley; R. Jehudah, however, said: He must not. A priest must not defile himself with a limb cut off a living body, be it even that of his father.[1]

*Z.* It happened to Joseph Parkass that he had an abscess on his foot, and the surgeon came to cut it off. He said to him: If thou wilt leave of it a bit of the size of a hair, let me know. When the surgeon told him that he did so, he summoned his son Nehemiah and said: My son, till here thou art obliged to attend me, but no farther. For the sages said: One must not defile himself for a limb cut off a living body, be it even that of his father. When the sages heard of it, they said: The following passage: "My life is in my hand continually, yet thy Law do I not forget" [Ps. cxix. 109], applies to him; and also: "There is many a righteous man that perisheth in his righteousness" [Prov. vii. 15].

*AA.* If he was on the road and he found a Meth-Mitzvah,[1]

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*Y.* [1] The law is, if a whole limb was separated from a living body it is a subject of defilement; but if flesh was separated from that limb, even if it was more than the size of an olive, it is not. However, when the limb was separated from a corpse, and flesh separated from it the size of an olive, it defiles.

*AA.* [1] This expression is used in the whole Talmud about one who died without relatives, or if he died somewhere far from them,

he is obliged to attend to it. What is to be considered such? If he would call for help and his cry could not be heard in the nearest town; but when it is heard, it is not considered as such (and he must not defile himself).

*BB.* It is always considered a Meth-Mitzvah unless there are sufficient people to attend to its funeral.

*CC.* If there was a high-priest and a Nazarite, the high-priest shall defile himself but not the Nazarite, according to R. Eliezer; for the latter must bring an offer for his defilement, and the former not. The sages, however, say: Rather let the Nazarite bring a hundred offers than cause defilement even to an ordinary priest; because the sanctification of the priest is from birth and forever, and the Nazarite's is only temporary.

*DD.* All agree that if there was an anointed high-priest and an unanointed one who is recognized only by his many garments,[1] the latter must defile himself and not the former; when there was the latter and an overseer, or an overseer and an ex-overseer, or an ex-overseer and a priest anointed for the war, or he and a common priest, or a common priest and a Levite, or he and an Israelite, the second of each pair always must defile himself but not the first. If both are equals, the quickest of the two must do so; and if both are quick, the one that expresses the desire shall do so.

*EE.* If it was found between a ploughed and an abandoned field, it shall be buried in the latter; between a ploughed and a sown field, it shall be buried in the former; between a sown field and an orchard, or an orchard and a field in which *persea* grows,

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or in a lonely place. "Meth" means a corpse, "Mitzvah" means a commandment, and together they express: A corpse which anybody who finds is commanded to attend to its burial.

*DD.* [1] There is a tradition that in the time of King Josiah the oil of anointment made by Moses was concealed, and from that time the ascent of a high-priest was made only with his prescribed garments, and in the Talmud such a high-priest was called by the name of "who was known by his many garments." Hence if it happened that an anointed ex-high-priest were in company with a high-priest who was elected after the oil of anointment was concealed, the latter, though he is a high-priest, must defile himself, because his degree in sanctification is considered lower than that of the former; and so is it with all the pairs—the second is lower in sanctification than the first.

it shall be buried in the former. If both places are equal in value, it shall be buried in the nearest one; and if they are equal in distance, it can be buried wherever desirable.

*FF.* Said R. Aqiba: "The following incident was the commencement of my reward to be counted among the wise. I once arose early and found a slain body. I burdened myself with it for three legal limits of the Sabbath, until I brought it to a cemetery, and I buried it. When I related this to the sages, they told me that my every step was considered as if I had shed blood.[1] Whereupon I drew the following *a fortiori* conclusion: When, having in view to perform a meritorious deed, I have transgressed so much, how much the more would I have sinned if I had had no such intention!" Whenever R. Aqiba was reminded of this incident he said: This was the commencement of my reward.[2]

## CHAPTER V.

*A.* No work must be done by a mourner on all the seven days after the burial; nor by his children, his servants, or his cattle. As he and they all are not allowed, so are others not allowed to do any work for him.

The rabbis taught: A mourner is prohibited to do any work during the first three days, even the indigent who lives on charity; thenceforward he may do it privately; and the housewife may spin with her spindle.

The rabbis taught: A mourner must not visit another mourner during the first three days; thenceforth he may, but he must not sit among the condolers, but among those who are being condoled.

The rabbis taught: A mourner is prohibited the first three days from greeting others; from the third to the seventh he may only answer a greeting; thenceforward he may greet and answer as usual. When the sons of R. Aqiba died, an enormous crowd flocked to the funeral. R. Aqiba ascended the rostrum, and addressed the people: "Brothers in Israel, listen to my words: It is not because of merit or station of mine that ye appear here, for

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*FF.* [1] Because the law is that it must be buried on the place where it is found. [2] *I.e.*, From the answer of the sages he learned that he knew nothing of the Law, and he began to study until he reached his eminence.

assuredly there are my superiors in this city. Oh, your reward will be great. Ye have done homage to the Law; your presence would suffice to console me, even if I had buried two bridegrooms; ye appeared here because you thought to yourselves [Psalms, xxxvii. 31]: 'The law of his God is in his heart.'" (Hence we see that it is permitted to greet even within the first three days?) Where the honor of the public is concerned the case is different.

"*From the third to the seventh day he may answer, but not greet.*" There is a contradiction from the following Boraitha: One who meets his friend who is in mourning, if within twelve months he may speak to him words of consolation, but must not greet him; if after twelve months, he may greet him, but not speak to him words of consolation, unless indirectly. R. Meir said: To what may the case of one speaking to his friend, a mourner, words of consolation after twelve months be compared? To one whose foot was dislocated, and after having it cured, met a physician who said to him: "Come with me and I will dislocate it again, and cure it in order to prove to you the efficiency of my drugs"? This presents no difficulty. This Boraitha relates to mourning over father or mother; the former statement relates to mourning over other relatives. But have we not learned in another Boraitha that he may speak to him words of consolation indirectly? Our Boraitha may also be explained in the same sense; viz., "He shall not speak to him words of consolation directly."

The rabbis taught: A mourner, during the first three days, if he arrives from a place not distant, may adopt the same computation of the time as the local mourners, but if he arrives from a distant place he must have his own computation; thenceforth, if he even arrives from a place not distant, he must have his own computation. R. Simeon, however, said: "Even if he arrived on the seventh day, if only from a near-by place, he may adopt the computation of the local mourners." The Master said above: "The first three days, one who arrives from a near-by place," etc. Said R. Hyya bar Abba in the name of R. Johanan: "This is the case only where the eldest of the family is at home at the time." The schoolmen propounded a question: "How is it if the eldest of the family has gone to the cemetery?" Come and hear: R. Hyya bar Abba said in the name of R. Johanan: "Even if the eldest of the house has gone to the cemetery, he may compute with them (the local mourners)." But have we not learned in another Boraitha that he must have his own computation? This

presents no difficulty: One case is when he arrived within the first three days, and the other when he arrived after the first three days. As Rabh said to the inhabitants of Zalpuni: "Those who arrive within the first three days may compute with you; those who do not, must compute for themselves." Rabha said to the inhabitants of M'huza: "You who do not follow the coffin (to the cemetery, but only as far as the town-gate) may compute (the mourning) from the minute you turn your faces away from the town-gate."

[1] The Boraitha states: R. Simeon said, etc. Said R. Hyya bar Gamda in the name of Joseph b. Saul, quoting Rabbi: "The case is only when he arrived before the condolers departed."

[2] It is written [Jerem. xxii. 10]: "Weep not for the dead and do not bemoan him." Weep not—that is, not more than sufficient; and do not bemoan him—that is, not more than prescribed. How so? During the first three days—weeping; the seven—lamentation; during the thirty days—not to calender clothes and cut the hair. After that period the Holy One, blessed be He, says: "Be not more merciful than I am." It is written [ibid., ibid.]: "Weep sorely for him that goeth away." Said R. Jehudah: "This means one who goeth away childless." R. Joshua b. Levi had never gone to console a mourner unless the deceased died childless, for it is written [ibid., ibid.]: "Weep sorely for the one that goeth away, for he shall never return any more, and see the land of his birth." R. Levi said: "A mourner the first three days must imagine to himself as if a sword is placed between his shoulders; between the third and seventh day, as if it is opposite him in a corner; from that day on, as if it passes in front of him in the street."[3]

"*The bier of a woman must at no time be set there*," etc. R. Ami said: "For what purpose was the death of Miriam stated closely following the law of the red cow? To teach that as the red cow atoned for sin, so also does the death of the righteous." Said R. Elazar: "For the same purpose was the death of Aaron closely written to the description of the priests' garb; viz., as the priests in their garb atoned for the sins, so also does the death of the righteous."

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## CHAPTER V.

*A*. [1] *Gemara* from Moed Katan. [2] *Gemara* from Moed Katan.

[3] This illustrates the different degrees in which it must be borne in mind.

*B.* It is permitted for others to do work involving things perishable; *e.g.*, his grain may be garnered and thrashed, his tubs may be scoured, and if his olives are turned, R. Jehudah says he may put the first press-block on, etc.

The rabbis taught: The following things are prohibited to a mourner: labor, washing, anointing, sexual intercourse, wearing shoes, reading the Law, the Prophets, the Hagiographa, studying the Mishna, Midrash, Halakha, Talmud, and Agada; but if, however, the public require his services, he need not restrain himself. As it happened, the son of R. Jose died in Sepphoris, and the latter notwithstanding came to college and lectured the whole day long. Rabba bar bar Hana was once in mourning, and he was inclined not to go out to deliver his usual lecture. Said R. Hanina to him: "If the public requires one's services, he need not restrain himself." He then wanted to employ an interpreter. Said Rabh to him: "We learned in a Boraitha: 'But he should not employ an interpreter.'" How, then, shall he do it? As we have learned in the following Boraitha: It happened that the son of R. Jehudah bar Ilai died, and the latter came to college followed by R. Hanania b. Akabia, who took a seat at his side. He (R. Jehudah bar Ilai) whispered (the lecture) to R. Hanania b. Akabia, and the latter to the interpreter, and the interpreter announced it aloud to the public.

The rabbis taught: A mourner must not wear phylacteries during the first three days, but from and including the third day he is allowed to do so, and need not remove them on the arrival of new persons. Such is the dictum of R. Eliezer. R. Jehudah, however, said that he must not wear them only during the first two days, but from and including the second day he is allowed; but on the arrival of new persons he must remove them.

R. Hyya bar Abba, R. Ami, and R. Itz'hak of Naph'ha were sitting in the cottage of R. Itz'hak b. Elazar, and a statement resulted: "Whence is it deduced that mourning lasts for seven days? It is written [Amos, viii. 10]: 'And I will change your feasts into mourning.' As the feast lasts for seven days, so does also mourning." But perhaps Pentecost is meant, which lasts only for one day? The latter one is applied according to Resh Lakish; for Resh Lakish said in the name of R. Jehudah the Second: Whence do we know that remote information (of the occurrence of a death in the family) makes mourning customary for one day only? From the passage [ibid., ibid.]:

"And I will change your feasts into mourning." And we find one festival which lasts for one day only.

*C.* [1] If he was the only baker in town, he may do his work privately for the sake of the people.

*D.* If one was cutting another's hair, or was having his hair cut, and he was told that his father was dead, he might finish it. Workingmen who receive work from a mourner are forbidden to do this work at his house, but they are allowed to do it at theirs. R. Simeon b. Jo'hai said: A day laborer is forbidden in any case. Contract work may not be done on his premises, but it may on theirs. Work on anything attached to the ground must not be done in either case, and work to be done in another city is allowed in either case.

*E.* When one mourning succeeds another, he may cut his hair with a knife but not with shears. If his clothes are dirty, he may wash them in cold water but not in feet-water.[1] A mourner and one who is under the ban, when on the road, are allowed to wear sandals; however, they must remove them as soon as they reach the town. So is the law also for the 9th of Abh, or a general fast-day.

[2] It is certain that a mourner must not cut his hair, for the Merciful One expressly directed the sons of Aaron [ibid. x. 6]: "The hair of your head you shall *not* let grow long"; hence the case is not so with other mourners. The question, however, is, whether those who are under the ban, and lepers, may cut their hair? Come and hear: Those who are under the ban, and those afflicted with leprosy, are prohibited from cutting their hair and washing (their clothes). One who was under the ban and died in such a state, the Beth Din stone his coffin. Said R. Jehudah: "It does not mean a heap of stones, as was the case with Achan [Josh. vii. 26], but it means that the Beth Din places a big stone on his coffin, to teach that whoever dies while under the ban, his coffin is stoned.

[3] A mourner must wrap up his head, for the Merciful One

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*C.* [1] For former Mishnas, see Moed Katan, pp. 19–20.

*E.* [1] In Tract Krithath, where it speaks of the preparation of the spices for the incense, the Gemara says: To make it stronger—*mei raglayim;* literally, "feet-water (wine, according to some commentators) would be good for it"; but this must not be brought into the Temple court. The same term is found in Nidah, 61*b*, in the Mishna, among the spices which remove stains. [2] *Gemara* from Moed Katan. [3] *Gemara* from Moed Katan.

directed Ezekiel [Ezek. xxiv. 17]: "And cover *not* thyself to thy upper lip." Hence, others must cover. How is it, however, with one who is under the ban? Said R. Joseph: Come and hear (Taanith): "And they wrapped up their heads and sat as if they were under the ban, or mourners, until they were commiserated by Heaven." Said Abayi to him: "Perhaps they have done that, because they have considered themselves as put under the ban by Heaven, in which case it is very rigorous." What is the law in regard to a leper? Come and hear: It is written [Lev. xiii. 45]: "And he shall cover himself up to his upper lip." Hence we see that wrapping up is necessary. A mourner must not wear phylacteries, for Ezekiel was commanded [Ezek. xxiv. 17] to put them on.[4] Hence we must say that others must not. But the question is as to one who is under the ban, in regard to phylacteries?[5] This question was not decided. It is certain that a mourner must not greet any one, as Ezekiel was commanded [ibid.]: "Sigh in silence." But how is the case with one who is under the ban? Said R. Joseph: Come and hear (Taanith, ibid.): "And to greet one another as if they were rebuked from Heaven." Said Abayi to him: "Perhaps this case is different, because it is very strict."

*F.* No ban is for less than thirty days, and no rebuke is for less than seven days.

*G.* Said Rabban Gamaliel: He to whom the court has stretched out its hand, although he was again befriended, will not leave this world peaceably.

## CHAPTER VI.

*A.* A mourner must not read the Pentateuch, Prophets, and Hagiographa. He is also not allowed to study Mishna, Talmud, Halakha, and Hagadah. He is also not allowed to wash, to anoint, to wear shoes, or to have sexual intercourse with his wife. He must cover his head and lower his couch. Rabban Gamaliel washed himself when his wife died (see Mishna Berachoth, 166).

[1] A mourner must not study the Law, because the Merciful

[4] The Talmud explains this passage to refer to the phylacteries.

[5] See our "Phylacteries Ritual," pp. 49 and 55.

## CHAPTER VI.

*A.* [1] *Gemara* from Moed Katan.

One commanded Ezekiel: "Sigh in silence" [ibid.]. But how is it with one who is under the ban? Said R. Joseph: Come and hear: We have learned: "One who is put under the ban may study for himself and also with others; he may be hired and he may hire others. But the case is otherwise with one who was excommunicated; the latter may, however, study for himself in order not to discontinue his studies. He may also establish for himself a small store in order to earn a living." Rabh said: "He may sell water in the market of Araboth."

[2] A mourner must not wash his clothes, as it is written [II Sam. xiv. 2]: "Then sent Joab to Thekoa, and he fetched thence a wise woman, and said to her," etc., "and anoint thyself not with oil; but be as a woman that hath these many days been mourning for the dead." What is the case with those under the ban? Come and hear: "Those who are under the ban are prohibited from cutting their hair and washing their clothes." Infer herefrom. A mourner must have his garment rent, because the Merciful One commanded the sons of Aaron [Lev. x. 6]: "And your garments you shall *not* rend"; hence others must. A mourner must lower his couch (place the mattress near or on the floor), as Bar Qappara taught: "(God said) I had placed my image among them, and for their sins I upset it (decreed death). Let them now lower their beds." A mourner must not work, for it is written [Amos, viii. 10]: "And I will change your feasts into mourning." As on the feast it is prohibited to do any work, so also is the case with the mourner. May one who is under the ban work? Said R. Joseph: Come and hear (Taanith): "When it was stated that it is prohibited to do work, it referred only to the day-time but not to the evening; and the same is the case with one who is under the ban." A mourner must not wash himself, as it is written [II Sam. xiv. 2]: "And anoint thyself not with oil"; and anointing includes also washing.

[3] And the Halakha prevails that a mourner must not bathe his entire body in either warm or cold water for seven days, but he may bathe his face, hands, and feet with cold water but not with warm. To anoint himself ever so little is prohibited, however, for a mourner; but he may do so for the purpose of removing the dirt from a certain part of his body.

[4] A mourner must not wear shoes, because Ezekiel was com-

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[2] *Gemara* from Moed Katan. [3] Transferred from Taanith. [4] *Gemara* from Moed Katan.

manded [Ezek. xxiv. 17]: "And the shoes put on thy feet." Hence others must not. A mourner must have no intercourse with his wife, as it is written [II Sam. xii. 24]: "And David *comforted* Bath Sheba, and he went in unto her, and lay with her." Hence, before comforting it is prohibited.

On the first three days if a mourner is greeted he shall say: "I am a mourner." However, from the fourth day onward he may answer half-heartedly.

*B.* When the death occurs in the same city, he must not accompany the others on the first two days; on the third he may go out and stand in the line for the purpose of being consoled, but he must not console others. All this is only when there are sufficient pall-bearers and burial attendants; otherwise he must accompany the others even on the first day.

The rabbis taught: "A mourner on the first Sabbath[1] must be confined to his house. On the second he may leave the house, but he may not occupy his usual seat (in the prayer-house); on the third he may occupy his usual seat, but he must refrain from conversation; and on the fourth Sabbath he is as any other person." R. Jehudah said: "As to the first Sabbath, it was not necessary at all to state that he must be confined to the house, for it is self-evident, because all come to comfort him on that day. But the above order begins on the second Sabbath; viz., 'On the second he must be confined to his house,' etc., and only on the fifth Sabbath he is as any other person."

*C.* On the first and second days the mourner must not enter the Temple mountain; on the third, however, he is allowed to enter, but must go around to the left. The following must enter to the left: A mourner, one who is under the ban, one who has a sick person in his house, and one who has sustained a loss. "Why do you enter to the left?" (the people standing about ask him). "Because I am a mourner!" And they rejoin: "The One who rests in this house may console thee!" And if he says: "Because I am in ban!" they rejoin: "The One who rests in this house may soften their hearts and they will befriend thee." So says R. Meir. Said R. Jose to him: If so, you seem to insinuate that they have not judged him rightly? But they rejoin thus: "The One who rests in this

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*B.* [1] It means the first week, etc., even when he goes to prayer-house in the week-days.

house, will soften thy heart, that thou mayest listen to their advice, and they will again befriend thee." To the one who had a sick person in his home they rejoined: "The One who rests in this house shall have mercy upon him!" and if the sick was his only son they should pray: "Shall have mercy upon him immediately!"

*D.* It happened to a woman whose daughter fell ill, that she ascended the Temple mount, turned to the left, and did not stir from there till she was told that her child had recovered.

*E.* To one who has sustained a loss they say: "The One who rests in this house will soften the heart of the finder, and he will return it to thee immediately!" It happened to Elazar b. Hananiah b. Hezekiah b. Gorion that he lost the Holy Scrolls, which cost him a hundred Manah.[1] He ascended the Temple mount, turned to the left, and did not stir till he was told that they were found. And the Temple was built by Solomon only for the purpose that everyone who should have any trouble should come and pray, as it is written [I Kings, viii. 37]: "If there be famine in the land, if there be pestilence," etc. From this we know only for individuals; when do we know that it is also for the public in general? It is written [ibid., ibid. 38]: "Of all thy people Israel." Lest one say it is also for the one who prays for children, or for riches which may not be good for him, therefore it is written [ibid., ibid. 39]: "As thou mayest know his heart, for thou thyself alone knowest the heart of all the children of men." Whatever is good for him, grant him. Whence do we know that they should not persist in their rebellion?[2] It is written [ibid., ibid. 38]: "When they shall be *conscious* every man of the plague of his own heart, and he then spread forth his hands toward this house." All this concerns the Israelites, but whence do we know that it concerns also the Gentiles? Therefore it is written [ibid., ibid. 41]: "But also to the stranger, who is not of thy people Israel, but cometh out of a far-off country," etc.

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*E.* [1] The coin Manah was of the value of a hundred Zuz. [2] This is to be understood thus: Whence do we know, if a rebel comes to pray that he shall be successful in his rebellion, that he shall not be listened to?

## CHAPTER VII.

*A.* The period of thirty days must be counted to the following: to mourning, to calender clothes, to cutting of hair, to demand debts, to a woman of handsome form, to betrothal, to marriage, to a virgin, to a widow, to a Yebamah,[1] to one who vowed against his wife, and to an indefinite Nazarite.

*B.* "*To mourning.*" How so? It is written [Deut. xxxiv. 8]: "And the children of Israel wept for Moses in the plains of Moab thirty days."

"*Calender clothes*" means all garments which come out from under the press. So is the decree of Rabbi. The sages, however, say: Colored but not white. But R. Meir said the reverse: White but not newly colored; old, however, is permitted in any case. *Funda*, *fascia*, *pileus*,[1] and helmets are also permitted. To give garments to be pressed is permitted within the thirty days.

The rabbis taught: "It is not permitted to calender clothes, whether new, or old ones which have just been removed from under the press, during the full period of thirty days." Rabbi, however, said: "It applies only to new ones." R. Elazar bar Simeon said: "They have prohibited new white garments only." Abayi acted in accordance with Rabbi. Rabha, however, acted in accordance with R. Eliezer bar R. Simeon.

"*To cutting of hair.*" He must not cut off the hair of his head, his mustache, his beard, or any hair of his body. A woman, however, is permitted to cut her hair after the seven days.

"*To demand debts.*" If one lends money for an indefinite period, he cannot demand it before thirty days.

*C.* "*To a woman of handsome form.*" It is written [Deut. xxi. 11]: "And hast a desire unto her, that thou wouldst take her to thee to wife." She must shave off her hair, and pare her nails. So is the decree of R. Meir; but R. Aqiba said: The hair must be shaved, and the nails she must let grow. Said R.

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CHAPTER VII.

*A.* [1] Yebamah is called a woman whose husband died childless, leaving living brothers [Deut. xxv. 5].

*B.* [1] All these garments have Roman names, and were used in those days, and we do not think it necessary to describe how they were made. The reader, however, will find it in "Hamashbir" and similar works.

Eliezer: As in both the head and nails the Torah prescribed a doing,[1] and as the doing what is said by the head means that the hair shall be cut off, the same is the case with the nails; but R. Aqiba said: As the doing what is said by the head is meant to make her ugly, the same is the case with the nails (and nothing is uglier than long nails). A support to R. Eliezer can be found in II Samuel [xix. 25]: "And Mephibosheth the (grand-) son of Saul came down to meet the king, and he had not dressed his feet, nor trimmed his head." A support to R. Aqiba can be found in Daniel [iv. 30]: "Till his hair was grown like eagles' (feathers), and his *nails*[2] were like birds' claws."

[3] Pin'has, the brother of Mar Samuel, was in mourning. When Samuel came to condole with him and noticed that his nails were untrimmed, he said to him: "Why dost thou not trim them?" And he answered him: "If this were the case with thee, wouldst thou disrespect the mourning to such an extent?" And it was [Eccl. x. 6] "like an error which proceedeth from the ruler." And a death occurred in Samuel's family. When R. Pin'has came to condole with *him*, the former trimmed his nails and threw the parings in his face, saying: "I see that thou dost not pay any attention to the saying: Words are ominous, as said R. Johanan. Whence is it deduced that words are ominous? It is written [Gen. xxii. 5]: "And Abraham said unto his young men," etc., "and we will worship *and come again to you*"; and it so happened that both of them returned. (Although Isaac was intended to be sacrificed.) It was understood from Samuel's action that the nails of the hand only may be cut, but not those of the feet. R. Onan bar Ta'hlipha, however, said: "It was explained to me by Samuel himself that there is no distinction made." Said R. Hyya bar Ashi in the name of Rabh: "With a nail file, however, it is not allowed."

[4] Rabh said (and Mar Zutra learned it in a Boraitha): "A

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*C.* [1] In the text it is termed "Maasse," and in Yebamoth (48*a*) "Assiyah." The meaning of both is *doing*, and Rashi there explains that, although the two above-mentioned terms are not to be found in reference to the head, R. Aqiba and R. Eliezer maintain that the cutting off of the hair is also called a doing; hence the analogy. [2] The verse begins with, "and from men was he driven away," and concludes that his nails were like birds' claws; hence it is not an ornament. [3] *Gemara* from Moed Katan. [4] *Gemara* from Moed Katan.

couple from Hamthon once came before Rabbi and asked his permission to cut their nails in their mourning, and he permitted them to do so; and if even they would have asked his permission to trim their mustaches, he would also have permitted them." Samuel added: "They actually did ask his permission and he did permit them."

*D.* It is written [Deut. xxi. 13]: "And she shall put off the raiment of her captivity." If she was dressed in white or black which becomes her, or she had on jewelry, they must be removed from her, for the purpose of making her unhandsome. The case is only if she has declined to embrace the Jewish faith; but if she be inclined, she is dipped, is freed from slavery, and he may marry her. The purpose for which all this was done is to prevent mingling.

*E.* "*To betrothal.*" How so? It is not allowed to make the feast of betrothal within thirty days of the day of the funeral. "*To marriage.*" The feast of marriage is not allowed to be made within this period; but if everything was prepared before the death occurred of one of his or her parents he may marry, and have the first intercourse with her; but after that they must be separated for seven days. This is only in case one of his parents dies; but if his wife dies, he is not allowed to marry again until three regular festivals have passed.[1] R. Jehudah, however, said: Two, and he may marry at the third. This is the case when he has grown-up children; but if they are yet little ones, or he is childless, he may marry even within the thirty days. It happened that the wife of R. Tarphon died, and R. Tarphon said to her sister within the period of mourning: "Enter this house, and educate thy sister's children." Nevertheless, he had no intercourse with her until the thirty days were over.

The rabbis taught: "One is not permitted to marry during the full period of the thirty days. If he, however, mourns over his wife, he must not remarry again until three festivals shall have passed. R. Jehudah, however, allows after the first and second festival have passed." But if he is childless he may remarry at once, in order not to restrict reproduction; so also is

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*E.* [1] If she dies before Passover, he may marry after Tabernacles; if after Passover, he must wait till the three festivals Pentecost, Tabernacles, and Passover have passed; and so on with the other festivals.

the case if he has minor children, for they have to be brought up. It happened that the wife of Joseph the priest died, and he said to the deceased's sister while still on the burial ground: "Go and rear thy sister's children." But still he did not cohabit with her for a long while. For how long? Said R. Papa: "Until after the thirty days."

"*To a virgin.*" The period in which to complain that one has not found virginity[2] is limited till thirty days after the marriage.[3]

## CHAPTER VIII.

*A.* During three days before the interment, experts repair to the cemetery and examine the dead whether they are really dead; [and although this is the custom of other nations], there is no fear of the prohibition of the deeds of the Amorites.[1] It happened that one of the dead was examined (and found alive), and he lived twenty-five years after that; and to another one, that he begat five children before he died.

*B.* A canopy may be made for dead bridegrooms and brides, and either eatable or uneatable things may be hung on it. So is the decree of R. Meir. R. Jehudah, however, said: Only unripe things—viz., unripe nuts, unripe χαλλοξ, tongus of purple, and flasks of Arabian oil; but not when they are ripe, nor ripe pomegranates, nor flasks of sweet oil, as whatever hangs on the canopy, no benefit may be derived from it.[1] Strings of fish, pieces of meat, may be thrown before the dead bridegroom or bride in the summer,[2] but not in rain time; and even during

[2] Deut. xxii. 14.

[3] Concerning a widow and the other subjects mentioned above, they are explained in their respective tracts; therefore we have omitted them here.

### CHAPTER VIII.

*A.* [1] Lev. xviii. 3.

*B.* [1] Therefore only unripe things were allowed, lest one should use them if they were ripe. [2] It must have been a custom at that time to throw some things which were prepared for the wedding feast. It is certainly difficult to explain, without a particular knowledge of this obsolete custom. Naumburg, however, maintains that it was done for a live bridegroom and bride; but we do not agree with him, for the reason that this is not mentioned in Berachoth, where it is enumerated what is to be done to honor the bride and bridegroom.

the summer, they must not do so with cooked fish or other eatables which will be spoiled after they are thrown on the ground. Nuts and other fruit in shells, as they are not spoiled, may be thrown at all times. There is a rule that anything which may be spoiled must not be thrown.

*C.* Likewise wine and oil may be put in a water pipe in honor of live bridegrooms and brides. As it happened to Jehudah and Hillel the sons of R. Gamaliel, when they were the guests of Ben Zakkai in Babylon,[1] the townspeople flooded the water pipes with wine and oil to honor them. Also the bodies of kings, and their clothes may be burned, their cattle hamstringed, without fear that it is after the usages of the Amorites. The ceremony of burning clothes and other things is performed for the corpses of kings only, but not for princes. When Rabban Gamaliel died, Aquilas the proselyte, however, burned in his honor clothes of the value of eight thousand Zuz, and when he was asked why he did so, he answered: It is written [Jerem. xxxiv. 5]: "In peace shalt thou die; and as burnings were made for thy father," etc. Was not Rabban Gamaliel more worthy than a hundred kings, for whom we have no use?[2]

*D.* The hair of a dead bride may be loosened; and the face of a bridegroom may be uncovered, and the marriage contract and the pen may be put by his side, without fear that so is the custom of the Amorites. There may also be put in the coffin the key and the pinkas (*πινακς*) of the dead, to call the attention of others to mourn, as it happened with Samuel the Little, that his key and pinkas were put in his coffin, because he did not leave a son. And Rabban Gamaliel the Elder and R. Elazar b. Azariah lamented him, saying: "For this dead one it is meet to weep, it is proper to lament. When kings die they leave their thrones to their children, when rich men die they leave their wealth to their children, but Samuel the Little took with him the most precious thing in the world, and is gone!"

*E.* Before he died, he said: "Simeon and Ishmael are prepared for the sword, and all the remaining people for being robbed, and great trouble will follow." And he spoke this in

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*C.* [1] These were Jehudah the second and Hillel his brother the grandsons of Rabbi; and b. Zakkai must have been a prominent person in Babylon. [2] In Abodah Zarah, 11*a*, is stated that burning of clothes was also done for princes, and Aquilas' deed was used as a support without any explanation.

Aramaic. When this occurred, and R. Simeon b. Gamaliel and R. Ishmael were condemned to death, R. Ishmael was weeping; but R. Simeon said: I praise God that it is only two steps till I shall be received in the bosom of the righteous in the world to come, and you are weeping? And the former rejoined: Do I weep because we are going to be slain? I am weeping because we will be slain as if we were murderers and violators of the Sabbath. After they were executed, and R. Aqiba and R. Jehudah b. Ethyra were informed, they put sackcloth on their loins, rent their garments, and said: Brother Israelites! If a good thing was to come for the whole world, these two sages would certainly have been the first to receive it; and now, as they were the first to be executed, it must be only for their benefit: they shall not see the great calamities which will follow after that. Woe! "The righteous perisheth, and no man layeth it to heart" [Isaiah, lvii. 1]. "He shall come (to his father) in peace, they shall repose in their resting-place" [ibid., ibid. 2].

*F.* When R. Aqiba was executed, and R. Jehudah b. Baba and R. Hanina b. Teradion heard of it, they also arose, put sackcloth on their loins, rent their garments, and cried: Brothers, listen to us! R. Aqiba was not slain because of robbery nor because he had not observed the Law with all his might, he was slain only for an example, as it is written [Ezek. xxiv. 24]: "Thus shall Ezekiel be unto you for a token . . . then shall ye know that I am the Lord eternal." We are sure that within a few days there will not be a place in the whole of Palestine where corpses of the people will not be lying about. It was said that scarcely had a few days passed, when a canine appetite dissipated the whole world, which lasted from that time for a twelvemonth.

*G.* When R. Hanina b. Teradion was seized by the government they sentenced him to the stake, his wife to the sword, and his daughter to a house of prostitution. He inquired: To what have they sentenced the poor thing (his wife)? And he was answered: To the sword! Whereupon he exclaimed the following passage: "Righteous is the Lord in all his ways" [Ps. cxlv. 17]. When she asked to what the rabbi was sentenced, she was answered: To the stake. Whereupon she exclaimed the passage: "Great in counsel, and mighty in execution," etc. [Jer. xxxii. 19]. When he was to be burned they wrapped him in the Holy Scrolls, and his daughter cried and threw herself on the ground. He said to her: My daughter! If thou weepest and throwest thyself on the ground over me, is

it not better I should be consumed by a fire which was kindled in this world than by a fire which is not kindled (Gehenna)? As it is written [Job, xx. 26]: "A fire not urged by blowing." And for the Holy Scrolls! Knowest thou not that the Torah is fire itself, and no fire can consume another? The parchment only is burned, but the letters fly away. Thou must also know that the great servants of the king are mostly beaten through the lesser, as it is written [Hosea, vi. 5]: "Therefore did I hew (them) down by means of the prophets, I slew them by the work of my mouth."[1]

*H.* R. Aqiba said: There is a king who has four sons. One is struck and is silent; the second rebels; the third prays for mercy; and the fourth says to his father: Strike me (because I am deserving). Abraham was struck but was silent, as it is written [Gen. xxii. 2]: "Take now thy son, thy only one, whom thou lovest, even Isaac . . . and offer him there for a burnt-offering." He ought to have said: The other day thou didst tell me: "For in Isaac shall thy seed be called" [Gen. xxi. 12]? and nevertheless it is written [ibid. xxii. 3]: "And Abraham rose up early in the morning," etc. Job was struck and rebelled, as it is written [Job, x. 2]: "I will say unto God, do not condemn me: let me know for what cause thou contendest against me." Hezekiah was struck, and he prayed for mercy, as it is written [II Kings, xix. 15]: "And Hezekiah prayed before the Lord," etc. According to others, even Hezekiah rebelled, because he said: "Did I not do what is good in thy eyes?" [ibid. xx. 3].[1] But David is the one who said to his father: Strike me (because I am deserving), as it is written [Psalms, li. 4]: "Wash me thoroughly from my iniquity, and cleanse me from my sin."

*I.* The study of the Torah must not be interrupted till the soul is out of the dying one. When R. Simeon the son of R. Aqiba was ill,[1] he (R. Aqiba) did not absent himself from the college, but inquired about him through messengers. The first

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*G.* [1] This is Leeser's translation, but the Talmud takes it literally—that the prophets were slain through the sin of Israel.

*H.* [1] It means that this expression is a protest against his affliction, as it was not proper to remind the Lord of His good deeds.

*I.* [1] See above, p. 18. The entire occurrence is repeated here at length, with some changes; therefore we leave it as it is in both places.

messenger announced that he was yet ill. He nevertheless said to the disciples: "Question!" The second announced that he was worse, and still he did not interrupt his studies. The third one announced that he was in the struggle of death, and yet he said: "Question!" till the fourth one announced the death. Whereupon he arose, removed his phylacteries, rent his garments, and said to them: "Brother Israelites, listen to me! Till now we were obliged to study the Law; now, however, we are obliged to honor the dead." A great multitude assembled to bury the son of R. Aqiba. He said: "Bring me out a bench to the cemetery." He sat down and said: "Brother Israelites, listen! (You have assembled) not because I am a sage, for there are greater sages than I; not because I am rich, for there are richer men than I. If the men of the south know Aqiba, why should the Galileans know him? If the men know Aqiba, what have the women and the children to do with Aqiba (but here is not Aqiba, here is the Torah)? Oh! your reward will be great, ye have done homage to the Law. I am consoled, and had I even seven sons and buried them all, I would be consoled, [not that one is desirous of burying his children], but because I know that he will inherit the world to come; because it is known to all that he was given to philanthropic activity, to whom a sin never reaches." (See Yomah, p. 138.)

Moses, who was himself righteous, and was given to philanthropic activity, the reward of the public was counted to him, as it is written [Deut. xxxiii. 21]: "He executed the justice of the Lord, and his judgments with Israel." Jeroboam the son of Nebat sinned and induced the public to sin: the sin of the public was counted to him, as it is written [I Kings, xiv. 16]: "For the sake of the sins of Jeroboam, who did sin, and who induced Israel to sin."

*J.* (There is a tradition): The reward of virtue is brought about by a meritorious person (Sabbath, p. 55); *e.g.*, Israel was destined to be redeemed from Egypt, as it is written [Gen. xv. 14]: "And afterward shall they go out with great substance." But as Moses and Aaron were meritorious persons, it was done through them. The same is the case with the receiving of the Torah: they would have received it without Moses, Aaron, and the generation of the desert, as it is written [Proverbs, ii. 7]: "He treasureth up sound wisdom for the righteous." The paragraph of Judges [Ex. xv. 18] would be said, even if Jethro would not appear. The same is the case with the paragraph

about the second Paschal lamb, it would be said even if the defiled men were not under the requirements of law [Numb. ix. 7]; and the same is with the paragraph of inheritance, it would be written without the daughters of Zelophchad.

*K.* The Temple also would have been built without David and Solomon, as it is written [Ex. xv. 17]: "The sanctuary, O Lord, which *Thy hands* have established." In the time of Haman, Israel would have been redeemed also without Mordecai and Esther, as it is written [Lev. xxvi. 44]: "And yet for all that, though they be in the land of their enemies, I will not cast them away, neither will I loathe them to *destroy* them utterly." But all that was done through the above-mentioned, because a reward shall be brought about by a meritorious person.

*L.* The same is true of the reverse. Israel was destined to be enslaved, even if Pharaoh should not have existed, as it is written [Gen. xv. 13]: "And they will make them serve, and they will afflict them four hundred years." Israel would worship the idols even if Jeroboam b. Nebat should not have existed, as it is written [Deut. xxxi. 16]: "And then will this people rise up and go astray." The paragraphs of the blasphemer and the violator of Sabbath would have been written even if the blasphemer and the stick-gatherer should not have existed. Israel was destined to be slain by the sword, even if the persecutors[1] at different times should not have existed, as it is written [Amos, ix. 10]: "By the sword shall die all the sinners of my people." Jerusalem would have been destroyed also, without Nebuchadnezzar and his associates, as it is written [Micah, iii. 12]: "Therefore for *your sake* shall Zion be ploughed up as a field, and Jerusalem shall become ruinous heaps, and the mount of the house as forest-covered high places." But all this was done through the above-mentioned, because of the rule that the chastisement for sin is dealt out through a sinner, and this was explained by Papus and Lulianus his brother to Trajan their prosecutor. (Taanith, p. 48.)

*M.* Those who are more particular in interpreting the verses of the Scriptures said: It is written [Deut. xii. 3]: "And ye shall overthrow their altars." Wherein have the wood and stone sinned (to be destroyed)? It must be only because people have stumbled through them. From this is to be drawn an

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*L.* [1] In Yalkut is mentioned Balaam instead of persecutors, but it seems to us to be proper as explained here.

*a fortiori* conclusion: Wood and stones which have neither virtue nor sin, neither goodness nor wickedness, because people have stumbled through them, if the Torah nevertheless decided their destruction, so much the more he who causes his neighbor to sin, and inclines him from the path of life to the path of death, deserves to be destroyed! In the same manner they explained the following: It is written [Lev. xx. 16]: "Then shalt thou kill the woman and the beast." If the woman has sinned, in what has the beast sinned? It must be only because the woman has sinned with it, it must be killed; as otherwise, whenever it would be seen in the street, people would say: "This is the beast through which so and so was stoned." And also here they draw the same *a fortiori:* An animal which has no virtue, etc., like the wood and stones, and nevertheless the Torah decided that it must be stoned—a man who causes his neighbor to depart from the path of life to the path of death, so much the more must he suffer for it.

*N.* An *a fortiori* conclusion is also to be drawn from the stones of the altar; namely, it is written [Deut. xxvii. 5]: "Thou shalt not lift up any iron tool upon them," and it is also written [Ex. xx. 22]: "For if thou lift up thy tool upon it, thou hast polluted it." Why, then, shall iron be unfit for the altar more than any other metal? It is because the sword is an unpropitious event and the altar is a propitious one, and a sign of curse must be removed from the thing which is forgiveness. Now, is this not an *a fortiori:* The stones of the altar which do not see, hear, talk, neither eat nor drink, but only because they made peace between Israel and their heavenly Father, the Torah said they should not be cut with iron, "Of whole stones shall they build the altar of the Lord God" [Deut. xxvii. 6], we see then that the stones which bring peace in the world must not come in contact with iron and must be whole—the students who in themselves are a forgiveness to the world, so much the more must they not come in contact with evil things, in order to be perfect before the Holy One, blessed be He?

## CHAPTER IX.

*A.* For all the relatives, one must rend his garments, also for the teacher from whom he received his study. A wise man, however, all are his relatives, all must rend their garments, all

must take off their shoes, and all may take part in the funeral meal (which used to be eaten in the street on the return from the cemetery). R. Simeon b. Elazar, however, said that rending of the garments is obligatory to all who are present at the death of a human being; the relatives, however, must rend their garments and take off their shoes, even if they are not present. Different is it when a sage dies. All who are notified of his demise must perform the mourning ceremonies.

*B.* For the death of the chief of a college all (the college men) are obliged to bare their right arm;[1] for the chief of a court, the left; and for the Nasi both arms are bared. When the death of R. Eliezer occurred, R. Aqiba bared both his arms, beat his breast until blood spurted from it, and cried: "My father, my father, the chariot of Israel, and their horsemen [I Kings, ii. 12].

Ula said: "Lamenting is by striking on the breast, for it is written [Isa. xxii. 12]: 'They shall strike on the breast, lamenting.'" Clapping is done with the hands, and striking is done with the feet.

The rabbis taught: "One who strikes with his feet must not do so with his sandals on, but with his shoes on, in order to avert danger." R. Johanan said: "If the mourner motions his head (as if he is consoled already), his consolers need no more stay with him." R. Johanan said again: "All persons must rise from their seats on the arrival of a Nasi, except a mourner and a sick person." R. Johanan said again: "All persons are told to be seated (after they rose), except a mourner and a sick person."

*C.* For all his relatives one is not obliged to bare his arm, except for father and mother. If something is on the arms which prevents their being bared, one is not obliged to do it even at the death of his parents. It happened that when the death of R. Aqiba's father occurred, R. Aqiba did not bare his arm, though others did.

[1] In all cases it is praiseworthy to remove the corpse as soon as possible, excepting in the case of a dead parent, unless it is

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*B.* [1] As this custom is obsolete, we cannot explain its meaning and how it was done.

*C.* [1] *Gemara* from Moed Katan.

on a Friday or on the eve of a festival, for the removal is then only for the honor of the deceased (in order that they shall not remain unburied until after the Sabbath or festival). In all cases of death it is optional with the mourner whether to lessen his attendance to his business or not; in the case of the death of a parent, he must lessen. As to baring the shoulder, it is also obligatory in case of parents only. It happened that the father of a great man of the generation died, and the great man wanted to bare his shoulder; another great man, who equalled him and who was present at the time, wanted to do likewise (in order to show his respect), and the first one refrained from doing it (in order to prevent the other one from inconvenience). Said Abayi: "The great man of the generation was Rabbi, and the other one who was present at the time was R. Jacob bar A'ha." According to others, it was *vice versa*. In all cases of death the mourner may cut his hair after thirty days; but in the case of his parents, not before he is censured by his friends (for wearing too long hair). In all cases of death one may participate in any enjoyment after thirty days, except in the case of his parents, when he may do so only after twelve months. Said Rabba bar bar Hana: "In an entertainment of friends he may participate at once." In all cases one may rend his garment only one span long; over parents he must rend so much as to bare his breast. Said R. Abuhu: From what passage do we know this? From [II Sam. i. 2]: "David thereupon took hold of his clothes, and rent them." And it is known that wherever "hold" is mentioned, it is not less than a span. In all cases, even if one has ten garments on, it is sufficient to rend the upper one only; over his parents, however, he must rend all the garments he has on, except the chest protector. And there is no distinction made between male and female. R. Simeon b. Elazar, however, said: "A woman rends the undergarment, places the rent part on her back, and then rends her upper garment." In all cases it is optional whether to tear asunder the outside hem or not, but over parents it is obligatory. R. Jehudah, however, said: "If the hem is not torn asunder, it is not considered rending at all."[2] Said R. Abuhu: "What is the reason of R. Jehudah's statement? It is written [II Kings, ii. 12]: "And he took hold of his clothes, and rent them in two pieces." The superfluous

[2] In order to understand the explanation hereof of Rashi, a thorough knowledge of the ancient cut of garments is required, which we leave to the historian.

statement, "in two pieces," indicates that it must be rent so that it should look as if torn in two pieces. In all cases the rent may be slightly sewed together after the seven days, and regularly mended after the thirty days; but over parents it may only be slightly sewed together after thirty days, but never regularly mended. Women, however, may sew it together at once, for the sake of decency. When Rabbin came from Palestine, he stated in the name of R. Johanan: "Over relatives it is optional whether to rend by hand or with an instrument; over parents, by hand only." R. Hyya bar Abba said in the name of R. Johanan: "Over relatives the rent is made in the house; over parents, even outside of the house." A prince once died. Said R. Hisda to R. Hanan bar Rabha: "Stand on an elevation and rend your garments, so that every one will see it." Over the death of a scholar, the right shoulder is bared; over that of a chief of a court, the left one is bared; over that of a Nasi, both shoulders are bared.

The rabbis taught: When a scholar dies, his college closes. When a chief of a court dies, all the colleges in the city in which he resided close, and those who come to the prayer-house to pray change their usual seats, so that those who have seats on the north benches take seats on the south benches, and *vice versa*. But when a Nasi dies, all the colleges close and the members of the congregation assemble in the prayer-house, and only seven read in the Law, and leave. R. Joshua b. Kar'ha said: "That does not mean that they shall walk around in the streets, but that they must remain in their houses and keep silent." And no ordinance or Agada should be declared in the mourner's house. It was said, however, of R. Hananiah b. Gamaliel that he had declared ordinances and Agada in the house of a mourner.

The rabbis taught: "And the following rent garments may not be mended: garments rent over the death of parents; over the death of one's instructor in Law; over a Nasi, chief of the court; over ill-tidings; over blasphemy; the Holy Scrolls which were burned by fire; the cities of Jehudah; the Temple; and over Jerusalem. And one may rend over the destruction of the Temple and add another rent (at the same place) over Jerusalem."[3] R. Helba in the name of Ula of Birah, quoting R.

[3] All this is adduced from biblical passages which we deem unimportant to quote here.

Elazar, said: "One who beholds the cities of Jehudah in their desolate state, says [Isa. lxiv. 9]: 'Thy holy cities are become a wilderness,' and rends his garment; when he beholds Jerusalem in her desolate state, he says [ibid., ibid.]: 'Zion is become a wilderness, Jerusalem a desolate place,' and rends; when he beholds the Temple in its desolate state, he says [ibid. 10]: 'Our holy and our beautiful house where our fathers praised Thee is burned up with fire; and all our costly things are become ruins,' and rends."

[4] The Boraitha stated: "One may rend over the Temple and add another rent," etc. There is a contradiction from the following Boraitha: "Both the one who heard it and the one who saw it, as soon as they reach Zophim they rend their garments, and they do so *separately* over the Temple and over Jerusalem?" This presents no difficulty: The first Boraitha relates to a case where he beheld the Temple first; the second, where he beheld Jerusalem first (Rashi explains the first case that he was under such circumstances that he could not see Jerusalem first, as for instance if he were in a closed carriage).

The rabbis taught: "And all (rents) may be slightly sewed together, hemmed, gathered (a sort of stitch), and stair-stitched, but not regularly mended." Said R. Hisda: "Mending is not allowed only when it is done in the fashion of Alexandria" (for it then looks as if never rent).

The rabbis taught: The original rending is a span long; the additional, three fingers. Such is the dictum of R. Meir; R. Jehudah, however, said: "The original rending is three fingers, and the additional a trifle." Said Ula: "The Halakha prevails according to R. Meir as regards the original rending, and according to R. Jehudah as regards the additional one." We have learned the same also in a Boraitha in the name of R. Jose.

[5] Rending which is not done in the moment of excitement (immediately after the occurrence of the death) is not considered rending at all. Was it then not stated that Samuel rent all the twelve different garments he had on when he was informed of the death of Rabh, saying: "The man whom I always feared (for his sharpness) has passed away"? And was it not also stated of R. Johanan that he rent thirteen woollen garments when he was

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*C.* [4] *Gemara* from Moed Katan. [5] *Gemara* from Moed Katan.

informed of the death of R. Hanina, saying: "The man whom I always was in dread of has passed away" (and in these instances it was not immediately after the occurrence of the death)? In case of death of rabbis it is different, because, their teachings being always fresh in memory, the moment of excitement is whenever the information of their death reaches. Rabhin bar Ada said to Rabha: "Thy disciple R. Amram taught the following Boraitha: A mourner during all the seven days must wear the rent part in front, and if he changes clothes he must rend again. On the Sabbath he must remove the rent part from the front to the back; if he, however, changes his clothes for the Sabbath, he must not rend again." (Hence we see that one must rend, although after the moment of excitement?) Rabha answered him: "This applies only to parents, but over other relatives it is different."

[6] May those rents be mended? The father of R. Oshiya and Bar Qappara differ: One holds they may, and the other holds they may not.

[7] Rabha said: A mourner may walk around in his easy-dress in his house (in private).[8]

*D.* If he was informed of his father's death, and he rent his garments, and afterward he was told that it was not the father but the mother, his duty is fulfilled; and also *vice versa.* If after he has rent for his parents he was told that it was not his parents but one of his relatives, this rending is sufficient. If, however, he was informed of the death of a relative, and after he has rent he was told that it was not his relative but one of his parents, he must rend again.

The rabbis taught: "If one is informed of the death of his father and he made a rent, and then he was informed of the death of his son and he made an additional rent, the lower rent may be mended but not the upper one. If, however, he was informed of the death of his son first, the upper one may be mended but not the lower one. If he was informed of the death of his father, mother, brother, and sister at the same time, he may make one rent for all. R. Jehudah b. Bathyra, however, said: "One rent over his father and mother, and another over

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*C.* [6] *Gemara* from Moed Katan. [7] *Gemara* from Moed Katan.

[8] The term in the text for "easy-dress" is אונקלי, which has several different meanings. See our "Phyl. Rit.," p. 65. Here, however, it seems to mean a gown worn in the house.

all the others; for an additional rent should not be added to the one over his parents." What is the reason? Said R. Na'hman bar Itz'hak: "Because the law of additional rending does not apply to the case of parents." Said Samuel: "The Halakha prevails according to R. Jehudah b. Bathyra." Could Samuel say so? Did not Samuel decide that the Halakha prevails, in regard to mourning, according to the one who is lenient? Mourning is one thing and rending is another.

[1] How far down must one rend? As far as his navel. According to others, as far as the breast. And although there is no direct support for that from the Scripture, there is nevertheless a hint for that in [Joel, ii. 13], "And rend your *heart*, and not your garments."

The rabbis taught: If a sick person has a case of death in his family he must not be informed of the fact, for it may cause him distress; and no rending is done in his presence, and the women are silenced (to keep any knowledge from him); and a minor's garments are rent for the purpose of moving others to pity him; and rending is done over the parents of one's wife out of respect to the latter. R. Papa said: "We have learned in Tract Great Mourning: 'But one (mourner) may not place a babe in his lap, for it may cause him to smile and thus be disliked by others.'"

"*The funeral meal is not to be taken except on a couch standing up properly.*" The rabbis taught: "One who comes to the mourner's house, if he was intimate with the mourner, he takes the funeral meal on a lowered couch; if he were not, on a couch standing up properly." Rabha had a death in his family, and Abba bar Martha, who was also known as Abba bar Maniumi, came to console him. Rabha put up the couch, Abba bar Martha lowered it, and Rabha remarked: "How little sense this young scholar has!"

The rabbis taught: "A mourner who travels from one place to another, if it is convenient to him to lessen his attendance to his business he shall do so; if not, he shall attend at least in company with other traders."

The rabbis taught: From what time on must the couch be lowered? From the time the deceased is removed from the house. Such is the dictum of R. Elazar. R. Joshua, however, said: "From the time the top-stone is placed on the grave."

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*D.* [1] *Gemara* from Moed Katan.

When R. Gamaliel the Elder died,[2] as soon as he was removed from the house R. Elazar told the mourners to lower the couches; when the top-stone was placed on the grave, R. Joshua told them to do so, and they answered: "We have already done so by the direction of the elder teacher."

The rabbis taught: "From what hour on may the couches be put in proper condition on Friday? From the hour of the Min'ha prayer on." Said Rabba bar Huna: "One must not, however, sit down on them until sunset, and on Saturday evening he must again lower them, although he has but one more day to mourn."

The rabbis taught: "One must lower not only his own couch, but all the couches in the house, even if they numbered ten and were placed in different places; and even if four brothers mourn over the death of a fifth brother, they all must lower their couches. If there is, however, one couch used exclusively for placing on it utensils, that one need not be lowered."

The rabbis taught: "One (a mourner) who sleeps on a stool, a large mortar, or on the floor has not fulfilled his duty." Said R. Johanan: "For he has not performed the duty of lowering the couch."

*E.* If one bought a garment which was rent for a death, he must not sew it together, unless he knows that the rent is such that it may be sewed together. If one sells such a garment, he is obliged to acquaint the buyer what kind of a rent it is. All garments of which their rents must not be sewed together, must not be sold to Gentiles; neither can they be turned downward and sewed together. Such is the decree of R. Simeon b. Elazar. The sages permit it. If one comes to a dying person in a rent garment, he is robbing the dead.[1] It is a greater sin to rob the dead than the living, because one can always appease the latter

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[2] It seems to us that it should read Gamaliel of Jamniah, as R. Gamaliel the Elder was his grandfather, and Eliezer and Joshua were colleagues of the former. Heilprin in his "Seder Hadoroth" brought Abraham Zacutta's opinion that R. Eliezer and R. Joshua were present at the death of both Gamaliel the Elder and his grandson of Jamniah without any remarks, which seems to us impossible. Moreover, if R. Eliezer and R. Joshua existed in the time of the Elder, they could have been little children only.

*E.* [1] The Talmud elsewhere says that he robs the living and the dead, because the people who see the rent in his garments may think that he rent it then, and to impose upon the people is considered a robbery.

and make restitution, which he cannot do to the dead. The same may be said of him who honors his parents after they are dead: it is more praiseworthy than when he honors them when they are alive, as in that case it may be said that he does so because he fears them, or because he expects to inherit from them; but when he honors them after they are dead, it is only for the sake of heaven.

The rabbis taught: One who wears in the presence of a deceased person a garment which has been rent over another deceased, is imposing on both the deceased and the living. R. Simeon b. Gamaliel said: "One who borrows a garment of another for the purpose of visiting his sick father, and informing the borrower of the purpose for which the garment is to be used, does visit his father but finds him dead, he must rend, but may mend it and return it to the owner, paying him the difference in value caused by the rending. But if he has not informed the owner of the purpose, he may not rend.

*F.* If one has rent for one dead, and he be resuscitated, if he dies immediately after, this rent is sufficient; but if he live some time, one must rend again.

*G.* One who saves the garment which was upon the dead is robbing the dead: this is only with the garments which are with him in the coffin, but not those which are with him in bed; nevertheless, the heirs must be told not to save even the garments which were with him in the bed.[1] One who adds garments to a corpse more than necessary, he transgresses the precept, "Thou shalt not destroy" [Deut. xx. 19].[2] So is the decree of R. Meir. R. Eliezer b. Zadok said: He makes the corpse homely.[3] Rabban Gamaliel said: Also, they add vermin.

*H.* Said R. Nathan: The garments in which the corpse is buried will be renewed with him in resurrection, as it is written [Job, xxxviii. 14]: "She is changed as the sealing-clay, and (all things) stand as though newly clad."

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*G.* [1] It seems to us from Sanhedrin, 48*a*, that the Talmud advises that all the garments which were with the dead in bed shall be used for the purpose of honoring the dead, as their custom was to pour wine before the dead. [2] All things which were fit for use for human beings, or for their benefit, the Talmud does not allow to destroy, without a purpose, and calls the one who does so "a transgressor" of the negative commandment cited in this passage. [3] It means, because when they are rotten it adds to the homeliness of the corpse.

## CHAPTER X.

*A.* A mourner is exempt from reading Shema, from prayers, and all the precepts commanded in the Torah, during the time that the corpse is in his house. If one desires to be rigorous with himself, he shall not do so, for the honor of the dead. When the time for reading Shema approaches, all the people read; he, however, must be silent. When they rise to pray, he shall acknowledge the justice, saying: "Lord of the universe! I have sinned against Thee; a little only of my indebtedness was called in, although I deserve much more. May it be Thy will to close up our breaches[1] and condole us!" R. Simeon said: He also prays for the departed soul.

*B.* The mourner must eat with his neighbors. If he has none, he shall eat in another room; if he has none, he shall make a partition of ten spans' distance; if he has nothing to make a partition with, he shall turn his face and eat. He must not lean[1] and eat, neither must he eat meat nor drink wine; he must not pronounce the meal benediction, nor can he be included where three are required in pronouncing it, neither may others pronounce it singly or in three for him. All this is only on week-days; on the Sabbath, however, he may eat and lean, and is allowed all the things mentioned above. As Rabban Gamaliel said: On the Sabbath a mourner is not considered as a mourner at all.

[2] R. Jehudah in the name of Rabh said: "A mourner on the first day must not eat of his own bread, for the Merciful One said [Ezek. xxiv. 22]: 'And the bread of other men shall ye not eat.'" Rabba and R. Joseph (when they were in mourning) used to exchange their meals between themselves. R. Jehudah in the name of Rabh said again: "When a case of death occurs in a town, all the inhabitants of the town are prohibited from doing any work." R. Hamnuna happened to be in Drumtha,

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CHAPTER X.

*A.* [1] According to the translation of Leeser, and meaning that the doors shall be closed for further bereavements.

*B.* [1] According to the custom in the Orient to eat leaning, and as we do at the *Seder* ceremony on the first eve of Passover. [2] *Gemara* from Moed Katan.

and he heard the horn announcing the occurrence of a death. When he subsequently noticed certain persons doing some work, he said to them: "Let these persons be under the ban, for is there not a death-case in town?" They answered him: "There are special societies for burying the dead." And he thereupon said to them: "If such is the case, you are absolved." R. Jehudah in the name of Rabh said again: "One who laments excessively over a deceased may be sure to have to do so over another deceased." There lived a woman in the neighborhood of R. Huna who had seven sons. Once one of them died, and she was weeping very much. R. Huna sent her a message not to do so, but she paid no attention to it, and R. Huna sent her the following message: "If you listen to what I say, well and good; if not, you may as well prepare a shroud for another of your sons." Subsequently another son died, and one by one all of them died. He then said to her: "Now prepare a shroud for yourself." And she also died.

*C.* The corpse must not be carried out when near the time of reading Shema: it must be done an hour sooner or later. When the bearers of the hearse go out, those in front of it, as their services are required, are exempt from reading Shema, but are prohibited to wear their shoes; those who are behind it, however, as their services are not required, are obliged to read Shema and are allowed to wear their shoes. Both are exempt from prayer and phylacteries. If on their return from the burial there is yet time to begin and finish Shema before standing in line, they first read, and stand in line afterward; otherwise they stand in line first, and read and pray afterward. The inside row which sees the mourner is exempt from it; the outside, however, is not. R. Jehudah said: Even if there is but one row, if they stand for the sake of the mourner, they are exempt; but if they stand for the sake of their own honor, they are not. The people who come to console, if they see the mourner they are exempt, otherwise they are not.

*D.* R. Simeon b. Elazar said: Rabban Gamaliel had a prepared sepulchre at Jamnia, wherein they used to deposit the corpse and lock the door. After that they came to stand in line around the mourner and consoled him; through this they exempted the public from doing these duties, and subsequently the corpse was brought up to Jerusalem.

The rabbis taught: At first in the houses of the rich (mourners), silver and gold baskets and white glass were used;

and in those of the poor, willow baskets and colored glass were used, and the poor felt ashamed; and it was enacted that only willow baskets and colored glass should be used by all. At first they used to leave the face of the deceased uncovered and used to carry him on an expensive bier if he belonged to the rich class; but they used to cover his face (for their faces grew dim from hunger) and carry him on a common bier if he belonged to the poor class, and the poor people felt ashamed. So it was enacted that all should be covered and be carried on a common bier. At first they used to carry the rich in braided beds, and the poor in common ones, and the poor felt ashamed, and it was enacted that all should be borne in a common bed. At first spices used to be placed at the side of those who died from bowel-troubles, and those who suffered from that disease while still living used to feel ashamed; and it was enacted that spices should be placed at the side of every deceased person out of respect to those who were suffering from that disease while still living. At first the expenses accompanying the burial of a deceased person were more burdensome and painful to his relatives than the death itself, and they used to leave the corpse and run away, until Rabban Gamaliel, the Nasi, directed that he be buried in flaxen garments; and it became customary with the people to bury the dead in flaxen garments. Said R. Papa: "And at present, even in a flaxen garment of the value of one Zuz."

When the grave is closed, the mourner wraps up his head:[1] when ready for the line, he bares it and exempts the others from doing it; if he steps outside the line, he covers it again; when he comes home and others come to visit him, he bares it again and exempts the others from doing it.[2]

*E.* When a death occurs in the family of a sage or a disciple of a sage, they may come and discuss about the laws of mourning before him. If they err, he may set them right half-heartedly; but himself must not propound a question. He may speak himself, if he so desires, or he may permit another to

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*D.* [1] See above, p. 27. [2] The literal translation of the text is to cover and to bare the head, and it may be that the custom was already in vogue, to honor those present in baring the head, as Paul required to bare the head in the house of prayer. We, however, translated "wrap up," in accordance with the text, page cited, and in accordance with other commentators.

speak for him. It happened that the son of R. Jehudah died, and the latter permitted another to speak for him; so also did R. Jose the Galilean when his son died. It happened to R. Aqiba that his son died, and he sat and lectured all day; so also did Rabbi when his son died. If it is necessary to discuss about something, they must begin concerning the laws of mourning, and then branch off to other matters, and finish again in regard to mourning. In Judah, on the Sabbath they greet the mourner on entering and leaving the college, to show that no mourning exists on the Sabbath.

## CHAPTER XI.

*A.* When two deaths occur in town, the one that died first is buried first; and if the first has to be left over night, the second is buried. And although it is said: Whoever leaves his dead over night transgresses a negative commandment,[1] still, if it is done for the purpose of digging a grave, to prepare shrouds, or to enable his outside relatives to attend to his funeral, it does not matter. If a master and a pupil die on the same day, the master is buried first; a pupil and a common man, the pupil is buried first. If both are masters, or pupils, or common men, the one that died first is buried first. A man and a woman, the woman is buried first, because the latter is more liable to become disgusting.

*B.* These are the differences between a man and a woman:

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## CHAPTER XI.

*A.* [1] The negative commandment is Deut. xxi. 23, although it is spoken only of one hanged by judicial decree. It seems to us, however, that it only means that the corpse must be taken away from the house in which it died, and not that it must be buried on the same day; and this we do for two reasons: first, because it would be a contradiction to what is said above that they deposited the corpse in a prepared grave, and also that they examine the deed the first three days; and second, if it meant that it must be buried the same day, the Talmud would say that he transgresses a positive commandment also, as further on the verse says, "But thou shalt surely bury him on that day." However, the expression "negative commandment" is taken from the corrections of Elias Wilna, who took it from the Talmud elsewhere.

A man may be left in the street to hold an oration over him, but not a woman; the greatest man of the city may accompany a man, but he is not to be troubled for a woman. R. Jehudah said: He may; the funeral meal is taken over a man, but not over a woman. Said R. Jehudah: If she has little children, the meal is taken with them.

*C.* They do not stand in line, nor is the mourning benediction said after the burial of the first, but after the second; then they do all this, and console, and exempt the public from doing so. Two mourners may not be consoled together, unless they are in the very same position in the community. The same is the case with two corpses to be carried in one hearse: An accident happened in the city of Usha wherein a house tumbled down and killed two male children and one female child, and R. Jehudah ordered that all three should be carried together. The male children were put on one side, and the female on the other, and they lamented over them: "Woe, woe, bridegroom! Woe, bride!" Two funeral orations may not be held in one town at the same time, unless there is enough attendance for both. The same is the case with two brides, they must not be married at the same time, unless there is enough attendance for both. R. Simeon b. Elazar said: Even in this case it is not advisable to do so, because there may be enmity.[1]

*D.* The corpse must be set aside for a bride,[1] because the honor of the living precedes that of the dead. A bride, however, must be set aside for a king, for the honor of the king. King Agrippa, however, stepped aside for the sake of a bride, and he was praised by the sages. His remark was: "I have time to put on my crown every day, and she can put on her crown only once in her lifetime."

*E.* The study of the Law (in the colleges) must not be interrupted for the sake of a burial or a bride. Abba Saul, however, said: The performance of meritorious deeds has preference over study, as was the custom of R. Jehudah. Whenever he saw a funeral or a bridal party coming, he glanced at the disciples, tell-

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*C.* [1] Enmity may be caused between certain persons and the bride, why they went to the other wedding and not to hers. He, therefore, differs only in the case of a marriage, but not in the case of a funeral.

*D.* [1] It means when they meet together at the gate or on a narrow street.

ing them: The performance supersedes study. If one of the parents of a married couple die, the woman must not paint nor adorn herself, and her husband must not protest against it. Sweeping, washing glasses, and making of the beds is not considered as labor to a mourner.

The rabbis taught: "The mourner's house may be swept and besprinkled, and the dishes, glasses, flasks, and jugs may be rinsed, but no gum to be put on coal, or spices, may be brought to the mourner's house." Must it not? But has not Bar Qappara taught: "No benediction is pronounced over gums (to be put on coal) or spices in the mourner's house"; from which it is inferred that only the benediction is not pronounced, but they may be brought there? These present no difficulty: the first statement relates to the place where the *mourner* is sitting; the statement of Bar Qappara, to the place where the *consolers* are sitting.

*F.* If one leaves five sons, who were at his table, but each one slept at his own house, each one must lower his couch in his own house, otherwise the performance is made only in the house which is used for sleeping. If, however, there were five rooms, and all were used, it must be done in all. One lodging in another's house, if he is intimate with his host, he must lower his couch, otherwise he need not. One who is on a journey and hears of the death of one of his near relatives, if he can lower his couch without any difficulty, he may do so. One may turn over his couch on two benches, or on four stones, no matter if there were even five mattresses on top of it, and was four spans above the ground, provided the legs of the couch are in the air. This, however, is after the burial; but when the corpse is in the house, he may not sleep even on an upturned couch.

*G.* The performance of lowering the couch is sometimes for six days, and sometimes for five, four, and three days, no more, no less. How so? If the death occurred on a week-day, it is for six days; if in the afternoon of the eve of Sabbath, it is for five days; if a festival succeeds this Sabbath, for four days; and if the two days of New Year succeed this Sabbath, it is for three days.[1]

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*G.* [1] The Mishna was taught before the existing calendar was made, as since then New Year cannot fall on Sunday.

## CHAPTER XII.

*A*. Renting on a death, the mourning of seven and thirty days, begin from the day of burial, or from the day he was informed, if he was not present. For whom one is obliged to rend at the time of death, he is also obliged when gathering his bones from one grave to be put into another. Also the law of sewing together the rent applies to that for gathering bones; the mourning, however, is only for one day, and the night belonging to that day does not belong to the day of mourning.

The rabbis taught: A recent information makes customary both the seven and the thirty days; a remote information, however, makes customary only one day's mourning. What is a recent, and what a remote information? A recent—if within thirty days; a remote—if after thirty days. Such is the dictum of R. Aqiba. The sages, however, hold either case makes customary both the seven and the thirty days. Said Rabba bar bar Hana in the name of R. Johanan: "Whenever it is found that the majority is rigorous and the individual is lenient, the Halakha prevails according to the majority, with the exception of this case here, in which, although the majority is rigorous, still the Halakha prevails according to the individual" (R. Aqiba). As Samuel stated: "In the case of mourning the Halakha prevails according to the one who is lenient." R. Hanina received information of the death of his father from the city of Husai, and he consulted R. Hisda. The latter said to him: "A remote information causes mourning for one day only." R. Nathan bar Ami received information of the death of his mother from the same place, and he consulted Rabha, who said to him: "Are you not aware of what was said in regard to a remote information?" And the former objected: "Have we not learned that this is so only in regard to the five cases of relatives whom one is bound to bury (son, daughter, brother, sister, and wife); but as regards father and mother, the seven and thirty days must also be observed?" And he answered him: "The Tana of the Boraitha is an individual (in his opinion), and we do not concur with him." As we have learned in the following: It happened that the father of R. Zadok died in the city of Ginsak, and he was informed after three years, and he went and asked Elisha b. Abajah and the Elders who were with him, and they told him he shall keep seven

and thirty. The same occurred when the son of R. A'hiya died in exile, and his father has performed for him the mournings of seven and thirty (hence the above Boraitha is in accordance with the individual, and not according to R. Aqiba. And from the following we can see also that the Halakha does not prevail according to Elisha b. Abajah, namely,) Rabh was the son of the brother of R. Hyya on his father's side, and also the son of his sister on his mother's side. And when Rabh came to Palestine, R. Hyya asked him: Is thy father alive? And he answered: My mother is alive. Then R. Hyya asked again: Is your mother really alive yet? And he answered: My father is alive.[1] Then R. Hyya told his servant: Take off my shoes; but a little later you shall take my garments in the wash-house. From this we have learned three things: First, that a mourner must not wear shoes; second, that a remote-information mourning is customary for only one day; and, third, that a part of the day is considered as a whole day.[2]

*B.* There were different societies in Jerusalem, and each of them had to attend to different things. One was to attend mourners; one to attend marriages; one to attend circumcision or redeeming of a first-born male child, and one for removing the bones from one grave to another. The attendance to a bride's house precedes a mourner's house; circumcision or the redeeming of a first-born male child precedes the removal of bones. The ancient pious, however, preferred to go to a house of mourning instead of the house of a bride, as it is written [Eccl. vii. 2]: "It is better to go to the house of mourning than to go to the house of feasting; inasmuch as that is the end of all men, and let the living lay it to his heart," as whoever follows the bier, knows that this will happen also to him.

[1] We have learned in a Boraitha: R. Meir used to say: It is written [Eccl. vii. 2]: "It is better to go to the house of mourn-

## CHAPTER XII.

*A.* [1] In the ancient times one was very careful not to bring a bad message; and even when asked, as the Talmud prohibits it, he would give evasive replies. [2] This is inferred from what R. Hyya told his servant—to bring his garments into the wash-house, that, after he had mourned a part of the day, on the remaining part he might do all he liked.

*B.* [1] *Gemara* from Moed Katan.

ing than," etc., "and let the living lay it to his heart," which means, let the living lay to his heart matters connected with one's death—viz., when he laments over him, that he will also be lamented over; when he buries him, that he will also be buried; when carrying him, that he will also be carried; and when eulogizing him, that he will also be eulogized. According to others one who is modest, and troubles himself with burying the dead, will be elevated by Heaven, as it is written [Prov. xxv. 7]: "For better it is that it be said unto thee, Come up higher, than that thou shouldst be put lower in the presence of the prince, which thy own eyes have (often) seen."[2]

The rabbis taught: When the sons of R. Ishmael died, four elder sages came to console with him; viz., R. Tarphon, R. Jose the Galilean, R. Elazar b. Azariah, and R. Aqiba. Said R. Tarphon to the other three: "You must know that he (R. Ishmael) is very wise and he is well versed on Agada, and therefore none of you must intrude when the other will be speaking." Said R. Aqiba: "And I will be the last one." R. Ishmael began: "His sins have increased, his mournings have succeeded one another, and he has inconvenienced his instructors once and twice." R. Tarphon then arose and said: "It is written [Lev. x. 6]: 'But your brethren, *the whole house of Israel*, may bewail the burning,' etc. If this was ordered over the death of Nadob and Abihu, who have observed only one commandment, as it is written [ibid. ix. 9]: 'And the sons of Aaron brought the blood unto him,' etc., so much the more so over the death of the sons of R. Ishmael." R. Jose then followed and said: "It is written [I Kings, xiv. 13]: '*And all Israel* shall mourn for him, and bury him.' If so much was done for Abiyah the son of Jeroboam, who has performed one kind deed only, as it is written [ibid., ibid.]: 'Because there had been found in him some good thing,' so much the more so over the death of the sons of R. Ishmael." [What was the good thing? R. Zera and R. Hanina bar Papa: one says that he suspended his office and made a pilgrimage to Jerusalem on the feasts; the other says: he has abolished the guards which were established by his father to prevent the pilgrimage to Jerusalem.] R. Elazar b. Azariah then began: "It is written [Jerem. xxxiv. 5]: 'In peace shalt thou die; and as burnings were made for thy fathers,' etc., if so much

[2] We must leave this without any explanation, as there are no commentaries for this besides Eidlis in his "Hidushe-Agadoth," and it is too complicated to be translated here.

was done for Zedekiah the king of Judah, who performed only one meritorious thing in that he ordered to bring up Jeremiah from the pit filled with mire, so much the more so over the sons of R. Ishmael." Finally, R. Aqiba began: "It is written [Zech. xii. 11]: 'On that day will the lamentations be great in Jerusalem like the lamentation at Hadadrimmon in the valley of Megiddon.' [And R. Joseph said: If not the translation of Jonathan of this passage, namely: On that day will the lamentations be great in Jerusalem, like the lamentation for A'hab bar Omri, who was killed by Hadadrimmon bar Tabrimmon, and like the lamentations for Josiah bar Amon, who was killed by Pharaoh the Lame in the valley of Megiddon, I would not know its meaning.] If so much over A'hab the king of Israel, who has done only one good thing, as it is written [I Kings, xx. 35]: 'And the king was stayed up in his chariot against the Syrians' (to prevent the defeat of Israel), so much the more for the sons of R. Ishmael." Rabha said to Rabba bar Mari: Zedekiah was promised that he would die in peace, and still it is written [Jerem. xxxix. 7]: "And the eyes of Zedekiah did he blind?" (How was the promise to die in peace fulfilled?) He answered him: "So said R. Johanan: (It was fulfilled) that Nebuchadnezar died in his time." Rabha further said to Rabba bar Mari: Josiah was promised [II Kings, xxii. 20]: "Therefore, behold, I will gather thee unto thy fathers, and thou shalt be gathered unto thy grave in peace." And still it is written [II Chron. xxxv. 23]: "And the archers shot the king Josiah?" And he answered him: "So said R. Johanan: (The promise was fulfilled in that) the Temple was not destroyed during his life-time."

[3] R. Johanan said: "The consolers are not permitted to speak consolation before the mourner engages in conversation, as it is written [Job, ii. 13]: "But no one spoke a word unto him," etc.; [ibid. iii. 1]: "After this time Job opened his mouth," etc.; and only [ibid. iv. 1]: "Then answered Eliphaz," etc. (These quotations are according to Na'hmanidus.) R. Abbuhu said: Whence do we know that the mourner takes his seat at the head of the consolers? It is written [ibid. xxix. 25]: "I chose their way for them, and sat as chief," etc., "as the mourners being comforted" (read יְנֻחָם). Mar Zutra said: "From the following passage [Amos, vi. 7]: 'And the noisy banquet of those who were

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*B.* [3] *Gemara* from Moed Katan.

stretched out shall pass away?'[4] R. Hama bar Hanina said: Whence do we know that a bridegroom takes his seat at the head of the guests? It is written [Isa. lxi. 10]: "As a bridegroom decketh himself with elegant attire." (The Hebrew reading: "Ke'hathan yechaehn pēēar," "Hathan" meaning a bridegroom, and "yechaehn" having the same letters as "cohen," a priest), as a priest sits at the head, so also does a bridegroom. R. Hanina said: "The separation of the soul from the body is as difficult as the removal of a knotty rope from the mast." R. Johanan said: "It is as difficult as the removal of a knotty rope holding the masts of two ships together."

The bones and the veins must not be taken apart when gathering them; it must not be feared, however, that this will happen while gathering them. All bones one may handle while gathering, except that of his parents, which must be handled by others. Such is the decree of Rabbi Johanan b. Nuri; R. Aqiba, however, said: As the bones are not allowed to be gathered till the flesh is all destroyed, and the form is not recognized any longer, it does not matter even if they are his parents'.

*C.* The bones of two corpses may be gathered together, but he shall keep them separate in a casket; he shall put one's in one corner, and the other's in another. So is the decree of R. Aqiba. R. Johanan b. Nuri, however, said: There is not any need for keeping the bones separated, as the basket in which they will be buried will finally be rotten, and the bones will be mixed again; if, however, he desires that they shall be separate, he shall bury them in caskets of cedar.[1]

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[4] The Hebrew text reads: "Vesor mirsah seru'him." The letter Samech has the same sound as the left-pointed Shin, and therefore "vesor" has the same meaning as if written with a left-pointed "Shin," viz., "a chief." "Mirsah" is given the same meaning of "Mirseah" [Jer. xvi. 5], a mourner—*i.e.*, the mourner became chief of the seru'him, those who were stretched out (the comforters), by taking his seat at the head.

*C.* [1] There is difficulty in understanding the meaning of R. Johanan b. Nuri, as there are many errors in the text, which were corrected by different commentators. What we understand is, that in their time they had different baskets or coffin-like boxes, *Aphikarsin*, in which bones were gathered and buried with them; and R. Aqiba maintains that although it is allowed to put together the bones of two bodies in one basket, they must nevertheless not be mixed together; and R. Johanan b. Nuri maintains that it is no use separating them, and advises what one shall do when he wishes them to be kept separate.

*D.* The bones may be sprinkled with wine or oil, according to R. Aqiba; with oil and not wine, because wine destroys them, according to Simeon b. Nanes; the sages, however, maintain that they may not be sprinkled with any of these, but cover with dust.

*E.* Said R. Eliezer b. Zadok: So my father commanded me: When I will die, you shall first bury me in a valley, then gather my bones, and put them in a cedar casket; but you shall not handle them yourself, and so I did. Johanan entered the grave and gathered (the bones) and spread over them a chest protector, and then I entered, rent my garments over them, and covered them with a sheet. I did to my father as he has done to his. It is not allowed for a man to wrap and tie up the corpse of a woman; a woman, however, may do so to a man.[1] The same is the case when a woman suffers in her intestines, a man must not examine nor attend her; a woman, however, is allowed to do so to a man.

*F.* Abba Saul b. Botnith said in his will to his sons: Bury me at the feet of my father, and take off the Tzitzith[1] from my *palium.*

[1] *G.* With all relatives one is allowed to bathe, except with his father, father-in-law, his stepfather, the husband of his sister, and the instructor from whom he received his wisdom. R. Jehudah, however, said: If his father was old or sick he may enter the bath-house and bathe him, for it is in his honor.

A hearse is not used unless the head and the greater part of the corpse are there. R. Jehudah said: The backbone and the skull are considered as the greater part of the body.

*H.* It happened with the son of R. Hanina b. Teradion, who associated with bad company and became a robber and was executed, when, after three days, he was found all swollen, his remains were put in a cage and that in a hearse, and was brought

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*E.* [1] Because a man is more excitable than a woman.

*F.* [1] Tzitzith—the fringes (see Numb. xv. 38)—and *Palium* in our times is called Tallith, in which the show-fringes are put in, and are worn during prayer.

*G.* [1] Speaking above of men who must not see the body of a woman, the Mishna tells also that it is not customary for a son to see his father or his father-in-law, whom he must respect, naked. As to the husband of his sister, however, there must be another reason—lest he see some deformity in his body, and inform his sister of it.

in the city. They wanted to lament him for the sake of his parents, but the father did not let them do so; he instead exclaimed on him the following [Prov. v. 11–14]: "While thou moanest at thy end, when thy flesh and thy body are coming to their end, thou sayest: 'How have I hated correction, and how hath my heart rejected reproof, while I hearkened not to the voice of my instructors, and to my teachers I inclined not my ear; but little more was wanting and I had been in all (kinds of) unhappiness in the midst of the congregation and assembly.'" His mother also exclaimed over him the following passage [ibid. xvii. 25]: "A foolish son is a vexation to his father, and bitterness to her that hath borne him." His sister also exclaimed the following [ibid. xx. 17]: "Bread of falsehood is pleasant to a man, but afterward his mouth will be filled with gravel stones."

## CHAPTER XIII.

*A.* One who gathers or guards the bones is exempt from reading Shema, prayer, and all the precepts commanded in the Torah, and if he desires to be rigorous with himself, he must not do so, for the honor of the dead. R. Johanan b. Nuri, however, said: He should step outside a distance of four ells and read. Ben Azai said: If they were with him in a boat he should remove them to another place and read. R. Itzhak said: Only from the bones of relatives he is exempt; from strangers, however, he is not. R. Simeon said: He is exempt only on week-days, but not on Sabbath. R. Nathan, however, said: He is exempt only when the bundle (of the bones) is on his shoulders, because the duty of guarding it is on him, but not of prayer.

*B.* One who removes bones or the Scriptures from one place to another, must not place them in a wagon, a boat, nor on a beast under his seat: however, in order to preserve them from thieves or robbers, he may.[1]

*C.* It is not allowed to pass through a cemetery with the phylacteries on, nor the Scriptures in the hand, as it is considered disrespectful to the dead.[1]

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## CHAPTER XIII.

*B.* [1] Corrected from Berachoth.

*C.* [1] The reason is explained in Berachoth, because the dead are exempt from all the commands given in the Law.

*D.* One finding a corpse in a grave must not move it, unless he is certain that the place was only borrowed for him. One finding bones on marshy ground, must put them in a grave. Such is the decree of R. Aqiba. The sages, however, say: He must not move them. One who finds bones in a grotto or a cavity must not move them. A corpse or his bones must not be moved from one place to another, even if they are equal in esteem, much less if the other place is lower; he may, however, do so from a lower to a higher place. However, if he moves them to a place on his estate, he is allowed to do so, even if the former place is more esteemed.[1]

Two corpses must not be buried in one grave, nor a corpse with bones, and *vice versa*. R. Jehudah, however, said: If they used to sleep together when alive, they may be buried together.

*E.* A building over a grave which was vacated, no benefit may be derived from it; if, however, it was excavated in a rock, and also the grave itself, when it was vacated a benefit may be derived from it; nevertheless, it must not be used for low purposes, such as a cow-house, straw-barn, etc. A grave which was dug for a person who was yet alive may be sold; but if for one who was already dead, it may not. The same is the case with monumental stones.

No benefit may be derived from a vacated coffin. If it is made of stone or clay, it must be broken, and if of wood—burned. Boards of the cemetery must not be moved from their place.

## CHAPTER XIV.

*A.* A cemetery must not be considered vilely; *e.g.*, no aqueduct may be drawn through it, nor a path made; no cattle must feed there, nor may one use it as a *compendiarius*, nor pick wood or grass therefrom. If he has picked he must derive no benefit from it, and if he picked them only to clean the grave, he must burn them on the same place.

*B.* Though inheritances are movable from place to place and changed from one family to another, with graves, however, it is different; they are not movable or changeable from one family to another. A new grave may be measured, divided, and sold, but

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*D.* [1] It means to say that the estate belonged to the deceased, as it is agreeable to one to be buried on his own grounds.

not an old one; there is, however, a new one which must be considered as old, and *vice versa*, namely: When there were in an old grave even ten corpses, but were buried without the permission of the owner, it must be considered as a new grave and may be measured, divided, and sold; if, however, it was with his permission, even if it was a miscarriage, it must be considered an old one, and nothing may be done with it.

*C.* No occupancy must be considered with the graves of the exiles; *e.g.*, in time of a pest or war, the graves are not secured to the corpses by occupancy.[1] R. Simeon b. Gamaliel said: Miscarriages do not acquire their graves, the same is the case with all who are buried without the permission of the owner. A woman who has inherited a grave, she and her offspring are to be buried in it. Such is the decree of R. Meir; R. Jehudah, however, said: She, but not her offspring; however, he owns that all her offspring who existed during her life, may be buried with her. If her father requires she should be buried in his grave, and her husband says in his, the father has the preference; if she has children, then the husband has the preference; if her will states that she shall be buried with her children, it should be done so. If the father says she should be buried with her husband, or *vice versa*, she is buried with her husband, because it is his duty to feed, redeem, and bury her, and he must provide all the necessaries, such as a hearse, flutes, and mourners, and where an oration is held, he must provide also that. If he declines to do all that, it is done by the court on his account against his will.

*D.* There are three kinds of graves: One that is found,[1] one that is known, and one which injures the public. The first is permissible to vacate, and if it was vacated, the place is clean, and a benefit may be derived from it; the second is not permissible to vacate; if it was vacated, the place is unclean,[2] and no

## CHAPTER XIV.

*C.* [1] The Hebrew term for occupancy is *Hazakah*, which means a surety—that is, if the property is in the possession of one a long time it is sure to be his, even if he has no documents for it.

*D.* [1] It means that if it was found that there was a corpse buried without the permission of the owner, the place, after it is vacated, is considered clean, because no precautionary measures were taken for such a one. [2] A precautionary measure was taken to consider all graves unclean, even after their vacation, lest one use the ground when they are not yet vacated.

benefit may be derived from it; and the third is permissible to vacate; the place is clean,[3] but no benefit may be derived from it.

*E.* A cemetery which surrounds the city on three sides, must be vacated; if on two sides, if they were opposite they can remain; if they were joined, they must be removed.[1] All graves may be removed for the necessity of the community. R. Aqiba, however, said: With the exception of those of a king and a prophet, as there was the grave of the prophetess Huldah, in Jerusalem, and it was never touched. His contemporaries rejoined: That is no proof, as there was a cavern from the grave to the brook Kidron, which drew off the uncleanness.[2]

*F.* One who sells the graves of his family, (it is considered as if) he did nothing. The same is the case if he sold the place of lamenting. The rabbis taught: One who sold his grave,[1] the way to it, or standing-place, and the house of lamenting, his family may come and reclaim them against his will, because it is a disgrace to the family that they should be sold to someone else.

*G.* The rabbis taught:[1] There must be not less than seven standings and sittings after the burial,[2] to signify the seven times "vanity" is mentioned in Ecclesiastes [i. 2]: "Vanity of vanities, saith Koheleth, vanity of vanities: all is vanity." Said R. A'ha the son of Rabha to R. Ashi: Explain me how they used to do,[3] and he rejoined: As we have learned in the following Boraitha: R. Jehudah said: Formerly in Jehudah they have

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*D.* [3] For the sake of the public, no precautionary measure is to be taken for this.

*E.* [1] Taken from Tract Nazir, Palestinian Talmud, as the Mishna here is very complicated, after all the different corrections of the commentaries. [2] There is a law concerning defilement, that a hole of one span which reaches the air draws off the uncleanness. This will be explained in Tract Teharoth.

*F.* [1] It was the custom then that each family had cares for the purpose of burying there the members of the family. The standing place means where the consolers stood or sat after the burial, and it was near the grave, and there was also a place where the lamenters stood.

*G.* [1] Transferred from Baba Bathra, 100*b*. [2] The custom was that when they returned from the burial they used to walk a few steps and then sit down and console the mourners or weep for the dead, and then rise and go on; and to repeat this seven times, so that they should remember the life of a human being is but vanity of vanities. [3] As in our place it is not customary.

made not less than seven standings and sittings for a dead body, and the funeral director used to say: "Arise, dearests, arise!" and "Sit down, dearests, sit down!" Said the sages to him: If that was all, let them do so also on the Sabbath.[4] The sister of Rama bar Papa was the wife of R. Ivjah, and she died. He made for her a standing and a sitting. Said R. Joseph: He has erred in two things. First, this do only the relatives of the second degree, who are not obliged to mourn, and he was one of the mourners; and, secondly, this is to be done only on the day of burial, and he did so on the day after. Said Abayi: He has also erred in this: It is usually done near the cemetery, and he did this in the city. Said Rabha: He erred also in this: It is only done where it is customary, and in his place it was not customary at all. An objection was raised: It is said above that the sages said to R. Jehudah: "If that was all, let them do also on the Sabbath." Now if this is to be done only in the cemetery, and on the first day, can this occur on Sabbath? The answer was: They meant to say, in a city which is near the cemetery, and when the consolers returned from the funeral which ended at twilight.

Whoever reminds a mourner of his dead after twelve months are over, is to be blamed for renewing his wound. Said R. Simeon b. Gamaliel: One whose wife died and has married again within a twelvemonth, one who wishes to talk to him about his dead, shall do so in the market, but not in his house.

All eatables may be brought to the house of a mourner—oval-shaped bread, meat, and fish; and if an assembly does that, also herbs and pulse. Rabban Simeon b. Gamaliel said: Where it is customary, even cooked food.

*H.* Ten goblets of wine have the sages ordered in the mourning house: three before eating, to give an appetite; three during the meal, to soften the food in the stomach, and four after the meal, for the four blessings contained in the after-meal benediction. Afterwards they have added four more: one for the sake of the sections of the city who have occupied themselves with the burial; one for the sake of the presidents of the congregations (for their advancing money for the sake of the burial of the poor); one for the Temple (to console for its destruction),

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*G.* [4] If that was all, without lamentation, it could be done also on the Sabbath, if they returned from burial on the eve of Sabbath at sunset.

and one in memory of Rabban Gamaliel (who was the first to command to be buried in linen garments, as said above). When the sages have seen that they became drunk, they have restored the original number.

One who pronounces the meal benediction in the house of a mourner, what shall he say in the fourth blessing? "The good One who does good to all." R. Aqiba, however, said: "The truthful Judge, the Ruler of His creatures. O give thanks unto the Lord, for He is good; because unto eternity endureth His kindness."[1]

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*H.* [1] This passage is brought here at the conclusion of this tract, as it is usual to conclude each tract with a good expression.

END OF TRACT EBEL RABBATHI (GREAT MOURNING) AND THE WHOLE SECTION OF FESTIVALS.